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Report of the Working Group on the Universal Periodic Review*

Algeria

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Algeria was held at the 12th meeting, on 8 May 2017. The delegation of Algeria was headed by the Minister of Foreign Affairs and International Cooperation, Ramtane Lamamra. At its 17th meeting, held on 11 May 2017, the Working Group adopted the report on Algeria.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Algeria: China, Slovenia and Togo.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Algeria:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/DZA/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/DZA/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/DZA/3).

4. A list of questions prepared in advance by Belgium, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Algeria through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. In his introductory statement, the Minister of Foreign Affairs and International Cooperation thanked all participating countries for their interest and explained that the report had been prepared by an interdisciplinary working group, with the involvement of civil society.

6. In Algeria, democratization was reflected in the regular holding of free and transparent elections, diversity of the membership of the parliament (with 36 political parties and 20 independent parliamentarians), democratic functioning of institutions, free expression of opinions and a flourishing civil society.

7. The adoption of two laws in 2012 had led to an increase in the number of registered political parties (71) and non-governmental organizations (NGOs) (more than 100,000). Freedom of association was exercised by 65 trade union organizations and through a tripartite meeting that allowed the Government, employers and trade unions to review and agree on consensual arrangements to safeguard employment, strengthen social protection and enhance competitiveness.

8. The freedoms of assembly and demonstration were regularly exercised throughout Algeria. A measure that applied on an exceptional basis to public demonstrations in Algiers had been adopted to preserve public order and safety.

9. The Algerian press — with 142 daily, 43 weekly and 90 monthly periodicals — was unanimously recognized as one of the freest in the region. Censorship did not exist, nor was there a monopoly on printing.

10. The Minister referred to the establishment on 9 March 2017 of the National Human Rights Council, which was a constitutional body composed mainly of civil society

representatives, taking into account the principle of gender parity, with extensive powers for monitoring, early warning, assessment and information and awareness-raising in the area of human rights.

11. The adoption of a new Constitution on 7 February 2016 had led to substantial innovations, in particular: promotion of Tamazight as an official language and establishment of an academy for its full development; a stipulation, not subject to constitutional review, that presidents may be re-elected only once; strengthening of the rights given to the opposition in parliament; strengthening of the independence and autonomy of the Constitutional Council and the Supreme Council of Justice; establishment of an independent authority for election oversight; promotion by the State of gender parity in the labour market; introduction of the principle of the right of appeal in criminal cases; strengthening of measures prohibiting violence against children; provisions to protect and care for persons with disabilities and older persons and destitute people; and the establishment of advisory bodies such as the National Anti-corruption Agency, the National Council for Scientific and Technological Research and the Youth Council.

12. In the justice sphere, the Minister called attention to the amendments to the Criminal Code and the Code of Criminal Procedure, the simplification of procedures, the strengthening of the specialization of courts and the implementation of their decisions and the launch of a modernization plan aimed at providing more humane conditions of detention, including in holding facilities, with regular inspections by the prosecution service. He confirmed that there were no places of detention in Algeria that were outside the law.

13. Algeria had observed a de facto moratorium on the application of the death penalty since 1993 and had initiated a process to limit the crimes subject to capital punishment.

14. The Minister reiterated his Government's commitment to the universality of human rights, which in no way signified that models of social or political organization must be uniform or conform to a single paradigm. He refuted the amalgam of sexual orientation and discrimination that had been put forward in various forums; sexual orientation was a private matter, for individuals.

15. Freedom of worship and religion was guaranteed by the Constitution and was exercised within the framework of the law, without any discrimination. The State budget covered the maintenance and renovation of places of worship and remuneration for the clergy of all religions. Muslim, Christian and Jewish religious festivals were all celebrated in Algeria and by law, the faithful were entitled to time off on such occasions.

16. The Minister stressed the priority that the Government accorded to the question of women's rights through measures such as: increasing women's representation in elected bodies; promotion of women to leadership positions in all fields; the punishment of all forms of violence against women in all places and circumstances (in private, in public and in the workplace) and the provision of free court-appointed legal aid for victims; the establishment of the National Women's Council; the adoption of a strategy for the prevention of violence and for the support and integration of victims; and the establishment of a fund to provide alimony and child support for divorced women whose former spouses defaulted on payments.

17. Human trafficking and the smuggling of migrants were now offences punishable under the Criminal Code. An ad hoc national body had been set up to monitor such problems, which had arisen essentially as a result of the migration crisis.

18. Algeria was a party to most international and regional human rights instruments and in September 2016 the Government had ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and the African Charter on Democracy, Elections and Governance. It had submitted a number of reports to the competent bodies.

19. Various mandate holders of the Human Rights Council had already visited Algeria. The Minister extended invitations to the Special Rapporteur on the rights of persons with disabilities, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on cultural rights, the Independent Expert on the enjoyment of all human rights

by older persons, the Independent Expert on human rights and international solidarity and the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights.

20. The Minister referred to the efforts made by Algeria in terms of massive infrastructure investments, non-contributory social protection spending and social transfers for the realization of economic rights.

21. The Minister presented the new economic growth model for the period 2016-2030, which aimed to stabilize the country's macroeconomic and social situation, optimize State resources and rationalize expenditure.

22. While emphasizing the consequences of the threat of terrorism that continued to weigh on neighbouring countries, the Minister reaffirmed the commitment of Algeria to continue the fight against terrorist groups and those supporting them politically and through the media.

B. Interactive dialogue and responses by the State under review

23. During the interactive dialogue, 101 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

24. Tunisia welcomed the constitutional amendments to the Criminal Code and the Code of Criminal Procedure and amendments establishing the National Human Rights Council, as well as the efforts relating to economic and social rights.

25. Turkey noted institutional, policy and socioeconomic reforms achieved through amendments to the Constitution. It enquired about further measures to be taken to improve the quality of education.

26. Ukraine welcomed that the role of the opposition and the independence of the judiciary had been strengthened, that the autonomy of the Constitutional Council and women's rights had been reinforced and that the National Child Protection Ombudsman had been established.

27. The United Arab Emirates expressed appreciation for the enactment of Act No. 15-12, whereby the Office of the National Child Protection Ombudsman had been established.

28. The United Kingdom welcomed the criminalization of domestic violence and sexual harassment. It noted that domestic law potentially limited the freedoms of conscience and religion.

29. The United States of America expressed concern about the arrests of members of the independent media and Ahmadi Muslims, as well as about the lengthy and cumbersome registration process under the law on associations.

30. Uruguay encouraged Algeria to continue to increase efforts relating to gender parity and women's rights and expressed appreciation for the existing de facto moratorium on the death penalty.

31. Uzbekistan welcomed recent constitutional amendments leading to the strengthening of the judiciary and the establishment of the National Human Rights Council.

32. Qatar commended the constitutional amendments adopted to strengthen the promotion and protection of human rights and to establish the National Human Rights Council and the Office of the National Child Protection Ombudsman.

33. Viet Nam welcomed the establishment and consolidation of institutions; measures taken to combat poverty and promote economic, social and cultural rights; and the new Constitution.

34. Yemen appreciated the establishment of the National Human Rights Council and legislative amendments to protect the rights of women and children, as well as increased transparency in elections.

35. Zambia expressed concern that accepted recommendations regarding the freedoms of association and assembly and trade unions had not been implemented effectively. Instances of extrajudicial killings, as well as the use of excessive force by security forces during protests and demonstrations, also raised concerns.

36. Zimbabwe welcomed the establishment of the National Human Rights Council and the provision of universal access to free and non-discriminatory health care and free education up to the tertiary level.

37. Angola welcomed inclusive and transparent reforms aimed at consolidating the rule of law, good governance and human development.

38. Argentina welcomed the establishment of the National Human Rights Council and noted that Argentina had paid particular attention to freedom of expression in Algeria.

39. Armenia noted the challenges faced in the protection of women's rights and encouraged the State to take further steps to combat discrimination and violence against women.

40. Australia acknowledged the adoption of constitutional amendments and the criminalization of domestic violence and sexual harassment. It remained concerned at allegations of curtailment of the exercise of the right to freedom of expression.

41. Azerbaijan welcomed measures aimed at consolidating the independence of the judiciary, strengthening ethical standards in public affairs and modernizing public administration.

42. Bahrain praised the acceptance by Algeria of most of the recommendations from the second cycle, including those put forward by Bahrain on the rights of women and children.

43. Bangladesh welcomed reforms aimed at consolidating the rule of law, good governance and human development, including the establishment of an election oversight authority and the National Human Rights Council.

44. Belarus welcomed legislative measures to combat human trafficking and violence against women, as well as the national strategy on human trafficking.

45. Belgium welcomed the criminalization of violence against women, and encouraged further efforts in the implementation of this new legislation. Challenges related to migration required the State's determination, notably in respect of combating discrimination.

46. The Plurinational State of Bolivia welcomed the establishment of the National Human Rights Council, the National Child Protection Ombudsman and policies for the inclusion and participation of women.

47. Bosnia and Herzegovina welcomed the establishment of the Office of the National Child Protection Ombudsman and the law on child protection.

48. Botswana expressed concern about children being subjected to prolonged pretrial detention and not always being separated from adults in detention. It encouraged Algeria to address the reported high prevalence of maternal and neonatal mortality.

49. Brazil praised achievements in promoting gender equality and the equitable realization of economic and social rights, and the establishment of the National Human Rights Council.

50. Brunei Darussalam commended the achievement of education and health targets set out in the Millennium Development Goals and encouraged Algeria to achieve the goals set out in the 2030 Agenda for Sustainable Development. It commended the progress made in providing adequate housing.

51. Burkina Faso welcomed constitutional amendments, the establishment of the National Human Rights Council, and measures in the area of the rights of women. It

welcomed the State's ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

52. Burundi welcomed the establishment of the National Human Rights Council and measures to combat violence against women and to ensure gender equality.

53. Canada welcomed measures to prevent and reduce violence against women, to enhance women's political participation and to allow unhindered access to the Internet.

54. Chad welcomed the inclusive and transparent reforms aimed at consolidating the rule of law, good governance and further legislative development.

55. Chile expressed regret that the International Convention for the Protection of All Persons from Enforced Disappearance had not been ratified, and also noted the absence of progress in establishing truth, justice and reparation for victims of the conflict of the 1990s.

56. China welcomed measures to protect the rights to education, to health, to housing and to safe drinking water, as well as to combat corruption and violence against women and to strengthen judicial mechanisms to protect the rights of vulnerable groups.

57. The Congo encouraged Algeria to increase its legislative efforts, and noted with satisfaction the positive results in the realization of the rights to health and to education.

58. Côte d'Ivoire welcomed measures strengthening the legislative and institutional framework, including judicial mechanisms aimed at ensuring the independence of the judiciary.

59. Cuba welcomed the inclusive and transparent reform process, the establishment of the National Human Rights Council and cooperation with human rights mechanisms.

60. In its response, the Algerian delegation stated that no journalists were in prison for their views. Some journalists had been prosecuted for offences under the ordinary law (such as invasion of privacy and defamation). Extrajudicial executions did not take place in Algeria and security forces carried out their activities strictly within the framework of the law. The prohibitions, restrictions and prosecutions purportedly based on religion had nothing to do with the exercise of religious freedom, as those cases related to the prosecution of individuals for ordinary crimes. Racial discrimination was punishable under the Criminal Code. The arsenal of laws and the Criminal Code addressed all forms of violence against women, and victims benefited from free legal assistance. Minors were rarely incarcerated, and when they were, they were separated from adults. An act of 2012 had encouraged the registration of associations, and the laws governing the right to demonstrate were in conformity with the International Covenant on Civil and Political Rights.

61. Cyprus welcomed the State's efforts to ensure the enjoyment of the right to education, and the policy to welcome more than 40,000 persons fleeing war.

62. The Democratic People's Republic of Korea welcomed measures aimed at strengthening institutional human rights protection mechanisms, as well as the continued prioritization of education, child protection and public health.

63. Denmark highlighted that the Convention against Torture Initiative, which worked on a basis of government-to-government exchange, stood ready to explore avenues to assist Algeria.

64. Djibouti noted with satisfaction the creation of a national delegate for the promotion of children and the organic law to support information professionals.

65. Ecuador welcomed initiatives to guarantee the integration of children with disabilities in their family, educational and socioeconomic environments, and also welcomed the plan of action entitled: "Algeria worthy for children.

66. Egypt welcomed the comprehensive reforms to ensure rule of law, good governance, a human rights culture and human development, as well as the improvements in legislative and institutional frameworks.

67. Ethiopia noted the progress in institutional, political and socioeconomic reforms, including the amendment of the Constitution.

68. France enquired about the State's intention to ratify the International Convention for the Protection of All Persons from Enforced Disappearance in the near future.

69. Georgia encouraged the Government to pursue efforts regarding the rights of women and children and welcomed the criminalization of violence against women.

70. Germany positively noted the constitutional reform but remained concerned about challenges in the human rights situation.

71. Ghana welcomed the establishment of the National Human Rights Council and the high independent authority for elections oversight.

72. Guatemala expressed concern about reports of marginalization of minorities and indigenous peoples in Algeria.

73. Honduras welcomed the consultative process undertaken in the revision of the Constitution and the establishment of the National Human Rights Council.

74. Hungary welcomed the national strategy for combating human trafficking and the law criminalizing domestic violence against women and encouraged the State to ensure their full implementation.

75. India commended the earmarking of 30 per cent of the gross domestic product for social policy and encouraged Algeria to sustain its efforts to raise the general quality of education by streamlining selection and training.

76. Indonesia welcomed constitutional amendments providing greater access to participatory democracy, gender parity in employment, and child protection services.

77. The Islamic Republic of Iran expressed appreciation for the enactment of provisions that legally defined offences such as the use of a child to beg, kidnapping, and sexual assault of a minor.

78. Iraq commended constitutional amendments encouraging local participatory democracy, the establishment of the high independent authority for elections oversight and the National Human Rights Council.

79. Ireland urged that a standing invitation be extended to special procedures mandate holders and outstanding visit requests be accepted. It also urged the State to decriminalize consensual same-sex relations and to create a safe and enabling environment for human rights defenders and civil society.

80. Israel stated that Algeria still needed to address many serious deficiencies, including a lack of freedom of religion and the unequal rights of women.

81. Italy welcomed the prohibition of child labour, the establishment of a national delegate for child protection, the State's objective of gender parity in employment and the criminalization of violence against women.

82. Jordan commended the establishment of the high independent authority for elections oversight and the National Human Rights Council.

83. Kenya made recommendations.

84. Kuwait welcomed that the State continued its reforms through the adoption of institutional, political and economic reforms that had led to improvement in the legislative framework, to increased citizens' participation and to improved living conditions and that facilitated access to public services.

85. Lebanon commended the constitutional amendments strengthening participatory democracy, freedom of expression and freedom of the media, and the State's cooperation with the Human Rights Council mechanisms.

86. Libya commended the State's efforts in implementing institutional, political, economic and social reforms and constitutional amendments.

87. Luxembourg welcomed constitutional amendments establishing the National Human Rights Council and the national organization to combat and prevent corruption.

88. Madagascar noted with satisfaction the implementation of the right to education, and improvements in the health sector.

89. Maldives appreciated the establishment of the National Human Rights Council and the Office of the National Child Protection Ombudsman.

90. Mauritania congratulated Algeria on its efforts to combat social scourges and all forms of extremism, indoctrination and radicalization.

91. Mauritius welcomed legislative measures to protect children and to criminalize violence against women. It noted the provision, free of charge, of universal access to education and health care.

92. Mexico welcomed the establishment of the National Human Rights Council and urged Algeria to guarantee the Council's independence, autonomy and impartiality.

93. Montenegro noted that more progress and reforms related to the realization of the rights of the child were needed, particularly in the areas of the juvenile justice system, violence against children and the development of inclusive education.

94. Mozambique welcomed the new Constitution, which, inter alia, provided for presidential term limits and the right to invoke unconstitutionality, thus deepening democracy.

95. In response, and in relation to the Rome Statute of the International Criminal Court, the Minister said that his Government's position was in conformity with the relevant decision of the African Union. Algerian citizens were not subjected to any ethnicity-based distinctions or discrimination in terms of their rights and obligations. The delegation stated that the Constitution guaranteed the freedom of worship and religion, without discrimination. A social housing development policy had been launched with the goal of reducing the housing shortage and eradicating slums.

96. Namibia applauded the legislative reforms that had culminated in the 2016 Constitution, which had resulted in the establishment of many institutions, including the National Human Rights Council.

97. The Netherlands welcomed reforms to bring the State's legislation into line with its international obligations, in particular the amendments to the Constitution and the Code of Criminal Procedure.

98. The Niger welcomed measures concerning local participatory democracy, the strengthening of parliamentary opposition, the objective of gender parity in employment and the consolidation of the independence of the judiciary.

99. Norway commended legislation against domestic violence and progress to ensure women's rights, as well as recent constitutional revisions establishing human rights principles.

100. Oman commended the comprehensive reforms aimed at strengthening the rule of law and good governance, human rights and human development, including the constitutional reforms.

101. Pakistan welcomed the strengthening of the judiciary and the establishment of the National Human Rights Council and laws to protect the rights of women, children and persons with disabilities.

102. Paraguay welcomed the law that criminalized domestic violence and the introduction by law of a 30 per cent quota for women on the lists of parties for legislative and other elections. The removal of the State's reservation to article 9 of the Convention on the Elimination of All Forms of Discrimination against Women was welcomed.

103. Peru welcomed the reform that incorporated into the Constitution fundamental rights, such as to freedom of expression, gender parity and the recognition of Tamazight as an official language.

104. The Philippines lauded the constitutional amendments, including those relating to the strengthening of the independence of the judiciary, guarantees of participatory democracy, gender equality and the establishment of an independent elections oversight body.

105. Portugal appreciated the adoption of a law criminalizing domestic violence against women and welcomed efforts in the areas of education and health. It expressed regret about the absence of a legislative framework and administrative institutions for the protection of refugees, asylum seekers and stateless persons.

106. The Bolivarian Republic of Venezuela applauded the constitutional reform. It noted that access to education and to health was free and universal and that the Millennium Development Goals in those areas had been reached before the deadline.

107. The Republic of Korea welcomed the reinforcement of human rights through institutional and socioeconomic reform processes and constitutional amendments, the criminalization of domestic violence, and the State's cooperation with human rights mechanisms.

108. The Republic of Moldova welcomed the constitutional amendments and noted many remaining challenges, particularly regarding the freedoms of expression, religion or belief and peaceful assembly. It expressed concern regarding persecution of journalists, limited civil society space, and discrimination and violence against religious minorities.

109. Rwanda commended the constitutional review that promoted the rule of law and consolidated democratic process. While noting progress in combating violence against women, it encouraged the State to fully implement, and eliminate loopholes in, national legislation.

110. Saudi Arabia commended efforts to reinforce the right to education and considered the constitutional reforms a positive step at the institutional, political, social and economic levels. It commended improvements in health indicators.

111. Senegal welcomed the 2016 constitutional revision and the criminalization of violence against women.

112. Serbia commended the efforts to guarantee access to education and welcomed that gender equality had largely been achieved at all educational levels. It encouraged the implementation of policies aimed at protecting women.

113. Sierra Leone welcomed the national action plan aimed at child protection, health and quality education. It encouraged the State to continue to work with the Office of the United Nations High Commissioner for Refugees for effective registration of Saharawi living in precarious conditions.

114. Slovenia welcomed the new Constitution, which included provisions on creating the National Human Rights Council, and the criminalization of domestic violence against women.

115. South Africa commended the constitutional review process and the State's steadfast support and courageous defence of the people of Western Sahara regarding self-determination.

116. South Sudan applauded the adoption of institutional, political and socioeconomic reforms, and welcomed the establishment of the National Human Rights Council and the provision of training at law enforcement institutions.

117. Spain welcomed the 2016 constitutional reform and the establishment of the National Human Rights Council.

118. Sri Lanka welcomed the constitutional amendments, including the establishment of the Constitutional Council and the high independent authority for elections oversight.

119. The State of Palestine noted the progress in the area of education and welcomed that a large amount of the national budget was dedicated to that right. It welcomed amendments to the Criminal Code aimed at protecting women.

120. The Sudan commended the constitutional amendments and the establishment of the high independent authority for elections oversight and the Office of the National Child Protection Ombudsman.

121. Sweden commended the constitutional guarantees for freedoms of opinion and expression, the press and information, but noted that implementation had been inconsistent.

122. Switzerland welcomed the 2015 law on combating violence against women. It noted that the new Constitution guaranteed the freedoms of expression, association, assembly and peaceful demonstration. However, it remained concerned at restrictions on these freedoms and restricted civil society space.

123. The Syrian Arab Republic commended efforts to incorporate human rights norms into national programmes and plans, in accordance with the State's commitments.

124. Timor-Leste expressed appreciation for the constitutional amendments and welcomed the promotion of education among detainees, as well as the criminalization of domestic violence and the development of a national strategy to combat trafficking in persons.

125. Togo expressed satisfaction with the State's efforts deployed in education, amounting to an investment of 16 per cent of the budget. It welcomed the establishment of judicial mechanisms and amendments to the Criminal Code and Criminal Code of Procedure.

126. Uganda welcomed the 2016 constitutional amendment and encouraged the State to engage in further improvement through a national implementation framework aligned with its international human rights obligations.

127. The delegation said that the National Human Rights Council had constitutional status and that the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) were fully respected. Foreign funding of Algerian associations was regulated by law, and NGOs that benefited from public funding would only have their accreditation renewed if the funds were used in conformity with the objectives of the organization. A working group was examining the withdrawal of reservations to the Convention on the Elimination of All Forms of Discrimination against Women. Human rights awareness was promoted through school curricula and through regular training of law enforcement officers. As a host country, Algeria had facilitated access by OHCHR to the Saharawi refugee camps and the Government had reiterated its appeal to all United Nations mechanisms, including the United Nations Mission for the Referendum in Western Sahara, to address the issue of human rights in Western Sahara. Birth registration was compulsory, including for births out of wedlock. A working group had been set up to draft a law on the right of asylum.

128. In conclusion, the Minister thanked the secretariat and the speakers and recalled the challenges facing his country, such as diminishing resources and the expectations of young people. He said that having defeated colonialism and terrorism, both of which represented the absolute negation of human rights, Algeria by its very nature could only be a bastion for their promotion and protection.

II. Conclusions and/or recommendations

129. **The following recommendations will be examined by Algeria, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:**

129.1 **Ratify other human rights conventions to which Algeria is not yet a State party (Philippines);**

129.2 **Ratify the international human rights instruments to which it is not yet a party, particularly the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading**

Treatment or Punishment, and the Convention on the Elimination of All Forms of Discrimination against Women (Honduras);

129.3 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal) (South Africa);**

129.4 **Formally abolish the death penalty, and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Australia); Move towards the definite abolition of the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Luxembourg);**

129.5 **Take all necessary measures to formally abolish the death penalty, including ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Ireland); Adopt the necessary legal measures to ensure that the death penalty is not a applied as a sentence in judgments and consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);**

129.6 **Take all the necessary measures to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Brazil);**

129.7 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro) (Portugal);**

129.8 **Intensify efforts to accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);**

129.9 **Consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Rwanda);**

129.10 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana) (Portugal) (Spain) (United Kingdom of Great Britain and Northern Ireland); Promptly ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Guatemala);**

129.11 **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Ghana) (Sierra Leone); Promptly ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Guatemala);**

129.12 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Ghana) (Portugal);**

129.13 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Sierra Leone) (Ukraine); Promptly ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Guatemala);**

129.14 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq) (Portugal) (Ukraine) (Sierra Leone);**

129.15 **Withdraw its reservation to article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (Australia);**

129.16 **Withdraw reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Cuba);**

129.17 **Withdraw its remaining reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Rwanda);**

129.18 **Take all necessary measures to ratify the Rome Statute of the International Criminal Court (Ireland);**

129.19 **Ratify the Rome Statute of the International Criminal Court (Spain);**

129.20 **Adhere and adapt its national legislation to the Rome Statute, including the incorporation of regulations to cooperate promptly and fully with the International Criminal Court (Guatemala);**

129.21 **Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);**

129.22 **Adhere and adapt its legislation to the Arms Trade Treaty (Guatemala);**

129.23 **Ratify the Convention on the Reduction of Statelessness and incorporate its provisions into national law (Côte d'Ivoire);**

129.24 **Accede to the Convention on the Reduction of Statelessness and adopt its safeguards in the domestic legislation (Uganda);**

129.25 **Examine positively the ratification of the Convention on the Civil Aspects of International Child Abduction (Cyprus);**

129.26 **Cooperate with the Human Rights Committee and fully implement its views (Luxembourg);**

129.27 **Implement the recommendations of the Human Rights Committee and the Working Group on Enforced or Involuntary Disappearances (Zambia);**

129.28 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

129.29 **Reply favourably and without delay to the requests of United Nations human rights experts and mechanisms to visit Algeria (Norway);**

129.30 **Extend an open invitation to all special procedures of the Human Rights Council (Uruguay); Issue a standing invitation to all special procedure mandate holders (Belgium); Consider extending a standing invitation to special procedure mandate holders (Georgia); Consider extending an open and standing invitation to the special procedures (Bosnia and Herzegovina);**

129.31 **Strengthen the cooperation with special procedures by extending a standing invitation (Peru);**

129.32 **Adopt laws to implement the conventions it has ratified (Niger);**

129.33 **Accelerate efforts towards the enactment of domestic legislation to further strengthen human rights (Philippines);**

129.34 **Bring domestic legislation into conformity with its international human rights obligations (Madagascar);**

129.35 **Continue incorporating international human rights norms into the national legislation (Uzbekistan);**

129.36 **Continue to align its legislation with the new constitution and with the provisions of international human rights instruments (Namibia);**

129.37 **Expedite the amendment of previous legislation that is not in line with the amended Constitution of 7 February 2016 and its human rights guarantees (Ethiopia);**

129.38 **Expedite the implementation of new constitutional provisions which have included innovative measures in the sphere of human rights (Islamic Republic of Iran);**

129.39 **Provide the national human rights institution with the necessary means for it to be in compliance with the Paris Principles (Niger);**

129.40 **Ensure that the National Human Rights Council is fully compliant with the Paris Principles (India);**

129.41 **Continue strengthening the work of the National Human Rights Council, with the active participation of civil society (Indonesia);**

129.42 **Continue consolidating the work of the National Human Rights Council to strengthen relevant public policy (Bolivarian Republic of Venezuela);**

129.43 **Ensure that it (the National Council for Human Rights) effectively performs its tasks and avoid duplication with other human rights bodies (Burkina Faso);**

129.44 **Strengthen the national legal framework that enables the recently created ombudsman on children to carry out its mandate efficiently and effectively (Honduras);**

129.45 **Make further efforts to strengthen the capacity of human rights institutions (Uzbekistan);**

129.46 **Expedite the efforts in combating corruption and in consolidating the rule of law (Islamic Republic of Iran);**

129.47 **Continue the fight against corruption in order to strengthen the rule of law and good governance (Djibouti);**

129.48 **Continue its efforts in the framework of the implementation of the national action plan to combat corruption and training programmes directed at public officials in this field (Tunisia);**

129.49 **Continue intensifying its efforts and measures to consolidate the rule of law and the national human rights protection mechanisms (Viet Nam);**

129.50 **Promote human rights education in the country (Armenia);**

129.51 **Continue training programmes aimed at human rights awareness, and disseminate it in public institutions and public sectors in accordance with international standards of human rights principles (Lebanon);**

129.52 **Continue efforts to disseminate and raise awareness of human rights through their integration in school and university curricula and in training programmes targeting the public sector and civil society institutions (Qatar);**

129.53 **Continue to promote programmes for human rights education and awareness-raising (Pakistan);**

129.54 **Continue awareness-raising about, and dissemination and teaching of, human rights (Djibouti);**

129.55 **Continue its efforts towards spreading awareness of the culture of human rights in Algerian society (Oman);**

129.56 **Continue initiatives aimed at protecting the rights of vulnerable groups, bearing in mind their specific needs and capacities, and empowering them in the enjoyment of their rights (Ecuador);**

129.57 **Combat the persistence of racist stereotypes and hate speech against the Amazigh, asylum seekers, refugees and sub-Saharan Africans (Peru);**

129.58 **Incorporate a definition of racial discrimination into its legislation and a prohibition of racial discrimination into the Criminal Code (Uganda);**

129.59 **Redouble its efforts to combat the persistence of acts of racial discrimination (Congo);**

129.60 **Repeal article 338 of the penal code, which criminalizes sexual acts between two consenting adults of the same sex (Canada);**

129.61 **Decriminalize same-sex sexual relations by repealing article 339 of the penal code, and include lesbian, gay, bisexual and transgender persons in its legal provisions against discrimination (Sweden);**

129.62 **Adopt legislation against discrimination, including discrimination based on sexual orientation and gender identity, and amend provisions with a tendency to maintain discrimination related to gender (France);**

129.63 **Take the necessary measures to combat discrimination based on sexual orientation and gender identity and to repeal legislation criminalizing consensual sexual relations between persons of the same sex, in accordance with the constitutional provision on the elimination of discrimination (Spain);**

129.64 **Ensure the respect for the rights and fundamental freedoms of lesbian, gay, bisexual, transgender, intersex and queer persons, by repealing the norms that criminalize and stigmatize them (Argentina);**

129.65 **Stop arresting people for same-sex relations (Israel);**

129.66 **Continue to promote sustainable economic and social development, and gradually improve the living standards of the population so as to lay the solid foundation for the enjoyment of all human rights (China);**

129.67 **Strengthen its development efforts in the most disadvantaged regions (Côte d'Ivoire);**

129.68 **Take into account the requirements related to sustainable development and the protection of the environment in the development of public policies (Cuba);**

129.69 **Determine terrorism in a clear manner in the Criminal Code so as to further assist the work of the relevant authorities (Hungary);**

129.70 **Continue efforts to combat terrorism in the framework of respecting human rights norms (Lebanon);**

129.71 **Promote efforts to combat terrorism and to combat human trafficking (Iraq);**

129.72 **Take measures to abolish the death penalty (Togo);**

129.73 **Declare a moratorium on the application of death penalty as a first step towards its abolition (France);**

129.74 **Commute all death penalty sentences with a view to abolishing capital punishment (Italy);**

129.75 **Continue commuting death sentences and continue the de facto moratorium on the application of the death penalty, maintained since 1993, with a view to abolishing it (Namibia);**

129.76 **Continue to forbid and punish torture and torture-related activities, taking all necessary measures to prevent such activity (Bosnia and Herzegovina);**

129.77 **Strengthen laws and policies to achieve an effective implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, including training programmes on human rights for those responsible for law enforcement (Chile);**

129.78 **Conduct thorough investigations of human rights crimes and abuses perpetrated during the internal armed conflict in the 1990s (Israel);**

129.79 **Thoroughly and impartially investigate all instances of extrajudicial killings and excessive force committed by security forces (Zambia);**

129.80 **Continue promoting respect for human rights and conduct investigations into human rights violations (Luxembourg);**

129.81 Increase efforts to improve judicial independence by strengthening training programmes for judges and magistrates (Spain);

129.82 Continue strengthening measures to facilitate access by all to justice (Angola);

129.83 Continue its efforts to consolidate rule of law and good governance through reforms in the administration of justice and improvements in the quality of public service (Maldives);

129.84 Continue to combat transnational crime, strengthening the cooperation in this area, in particular with States in the region (Bolivarian Republic of Venezuela);

129.85 Continue its efforts to better promote and protect the rights of persons in custody in places of pretrial detention and in prisons (Burundi);

129.86 Continue efforts to strengthen the judicial and institutional framework regarding human rights by adopting legislation essential to the implementation of the rights prescribed by the new constitutional provisions (Togo);

129.87 Guarantee the freedom of all individuals to practice their religion or belief, and end the arrests and public defamation of the Ahmadi community for practicing their religion (Canada);

129.88 Allow full freedom of belief to all religious groups, especially the Ahmadi minority, which suffers from continued persecution (Israel);

129.89 Work to ensure that constitutional guarantees of the inviolability of freedom of thought, conscience and religious are carried out for all, including for Ahmadi Muslims, and provide that community with the accreditation it needs to worship openly and in compliance with Algerian law (United States of America);

129.90 Ensure that international norms on freedom of religion and belief and cult are fully respected, including the rights of religious minorities (Netherlands);

129.91 Build on its success and invest further to ensure that religious minorities can freely exercise their rights and freedoms in all spheres of life (Bangladesh);

129.92 Safeguard rights of religious minorities by institutionalizing interreligious dialogue (Sierra Leone);

129.93 Focus on the training programmes of religious leaders on promoting concepts of dialogue and tolerance (Syrian Arab Republic);

129.94 Strengthen efforts to bring national legislation into line with the Constitution and with its international human rights obligations, especially with regard to the right to freedoms of assembly, expression and association (Italy);

129.95 Implement freedom of association, expression, assembly and peaceful demonstration in accordance with the International Covenant on Civil and Political Rights (Kenya);

129.96 Take further measures to guarantee the rights to expression, assembly, association and belief (Australia);

129.97 Respect the right to freedom of expression by abolishing the prison sentence for press-related offences, in particular those defined as "insult", "contempt" or "defamation" (Canada);

129.98 Guarantee the effective exercise of freedom of expression, assembly and association, by reforming its legislation, notably so as not to hamper the legitimate work of non-governmental organizations and human rights defenders (Luxembourg);

129.99 **Amend administrative and other regulations and practices in order to implement the constitutional provisions regarding freedom of the press and clarify the law on defamation and its application so as to ensure freedom of opinion and expression (Sweden);**

129.100 **Lift restrictions on the registration of associations and freedom of assembly, decriminalize defamation, adopt a framework to protect journalists from intimidation and harassment, and implement the best practices on peaceful assembly put forward by the Special Rapporteur to ensure compliance with the International Covenant on Civil and Political Rights (Ireland);**

129.101 **Facilitate the issuance of visas and accreditations without restriction to representatives of international organizations defending human rights and to foreign journalists (France);**

129.102 **Complete the procedures related to the establishment of the independent regulatory authority for the broadcast media (Tunisia);**

129.103 **Amend penal code articles that punish peaceful free expression with prison terms, to conform to Algeria's Constitution (United States of America);**

129.104 **Avoid and prevent judicial pressure on human rights defenders, journalists and other activists, taking into account international standards in this respect (Republic of Moldova);**

129.105 **Take urgent measures to amend criminal legislation which criminalizes freedom of expression and opinion online and in different social media (Argentina);**

129.106 **Bring its legislation into line with the new Constitution to ensure the full exercise of freedom of expression, association and assembly (Spain);**

129.107 **Align its domestic legislation to international standards so as to fully respect the right to freedom of peaceful assembly and association, in line with the International Covenant on Civil and Political Rights, as well as remove any obstacles to the exercise of the right to freedom of opinion and expression (Brazil);**

129.108 **Eliminate obstacles and restrictions to freedom of assembly and peaceful protest, and adopt a law that guarantees the free enjoyment of these freedoms, in conformity with the International Covenant on Civil and Political Rights (Mexico);**

129.109 **Take steps to ensure its obligations under the International Covenant on Civil and Political Rights are upheld when it comes to articles 21 and 22 regarding the right of peaceful assembly and the right to freedom of association (Norway);**

129.110 **Avoid applying severe restrictions on freedom of assembly and prohibiting peaceful demonstrations, and take the necessary measures to make procedures for the registration of non-governmental organizations more flexible and to ensure that they can carry out their work without undue interference (Uruguay);**

129.111 **Reform the association law 12-06 of 2012 to provide a clear and unambiguous legal foundation for the work of civil society organizations, including with regard to cooperation with international partners (Germany);**

129.112 **Review the application of the associations law from 2012 so as to ensure that it strengthens the right to freedom of association, and conduct the legislative consolidation of the law accordingly (Slovenia);**

129.113 **Amend the law on associations to remove undue restrictions on civil society organizations (United States of America);**

129.114 **Revise or repeal legislation on associations and elaborate a new organic law on associations in conformity with international human rights norms (France);**

129.115 **Bring the legal provision on freedom of association and assembly fully into line with international human rights standards and ensure that non-governmental human rights organizations can operate legally in Algerian society (Netherlands);**

129.116 **Take measures to foster a safe, respectful, enabling environment for civil society, including through the removal of legal and policy measures, which unwarrantedly limit the right to association (Zambia);**

129.117 **Create a secure and enabling environment for civil society, notably by amending the Law 12-06 of 12 January 2012 to bring it into conformity with its Constitution and international obligations (Switzerland);**

129.118 **Create and maintain a safe and enabling environment suitable for civil society and human rights defenders (Republic of Korea);**

129.119 **Continue the legislative reforms it has embarked on regarding participatory democracy and political parties (Azerbaijan);**

129.120 **Continue the democratic process in which Algeria has committed itself to the full enjoyment of all rights for its people (Chad);**

129.121 **Continue its efforts to develop programmes to support democracy and protect human rights (Yemen);**

129.122 **Pursue the promotion of the participation of citizens in the administration of local matters (Bolivarian Republic of Venezuela);**

129.123 **Develop and publish a national action plan to tackle modern slavery, including ratification of the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organization (United Kingdom of Great Britain and Northern Ireland);**

129.124 **Establish an effective national policy for combating trafficking in persons and establish appropriate mechanisms for the protection of its victims (Uganda);**

129.125 **Continue efforts to combat human trafficking through the establishment of an effective national policy to address it (Maldives);**

129.126 **Develop a national policy to address trafficking in persons (Sierra Leone);**

129.127 **Continue to step up efforts to combat human trafficking (Senegal);**

129.128 **Continue its efforts in implementing the national strategy to combat trafficking in persons (Sudan);**

129.129 **Continue efforts to ensure proper application and implementation of legal texts relevant to protection of women and children in particular and family rights in general (Egypt);**

129.130 **Modify the regulations of the Family Code which are discriminatory against girls and women, regarding guardianship of minors, inheritance, divorce, polygamy and rejection (Paraguay);**

129.131 **Continue with efforts to eliminate all barriers to the effective equality of women, including the modification of discriminatory provisions of the family code, and continue to combat gender-based violence (Spain);**

129.132 **Reform the family code to remove remaining discriminations against women (Germany);**

129.133 **Continue efforts to promote economic diversification in order to promote the standard of living of citizens (Syrian Arab Republic);**

129.134 **Take further measures to encourage and facilitate self-employment among the youth, enabling them to play a greater role in national development (China);**

129.135 **Intensify efforts to provide appropriate vocational training and employment for youths (Sierra Leone);**

129.136 **Strengthen ongoing schemes to reduce unemployment, particularly among the youth (Zimbabwe);**

129.137 **Strengthen the introduction of various mechanisms for promoting employment among young people through entrepreneurship in different areas (Ethiopia);**

129.138 **Devote more efforts and resources to programmes aimed at promoting youth employment, notably through education and vocational training of youth (Viet Nam);**

129.139 **Involve social partners in the drafting of the new labour law, which addresses new employment challenges, in line with international labour standards (Syrian Arab Republic);**

129.140 **Continue creating conditions for the effective realization of economic, social and cultural rights in the country (Belarus);**

129.141 **Increase efforts to promote the enjoyment of economic, social and cultural rights (Qatar);**

129.142 **Continue to strengthen social policy to provide the same opportunities and the same services to all citizens, including peasants and others working in rural areas, in road, education and hospital infrastructure and water supply, sanitation and energy (Plurinational State of Bolivia);**

129.143 **Pursue measures to eradicate poverty through the implementation of comprehensive public policies with a human rights-based approach (Ecuador);**

129.144 **Continue its efforts to strengthen economic, social and cultural rights, particularly the rights of women, children and persons with disabilities (Libya);**

129.145 **Take steps to ensure that the housing projects under its programme for 2015-2019 are successfully implemented (Brunei Darussalam);**

129.146 **Remove the obstacles which still exist in the exercise of the right to health, especially regional differences, to allow all people to enjoy quality in health services, which are freely provided in the country (Kenya);**

129.147 **Continue efforts to strengthen the right to health and overcome the obstacles that it is facing in this regard (Saudi Arabia);**

129.148 **Continue to adopt measures to further improve health-care services to ensure greater accessibility, especially in rural areas (Brunei Darussalam);**

129.149 **Continue efforts to improve universal access to primary health care and the right to education (Sri Lanka);**

129.150 **Continue efforts to improve the level of education and health in the country (Iraq);**

129.151 **Take further enhancing measures for the enjoyment of educational and health services by all (Bahrain);**

129.152 **Improve the protection of the health of pregnant women and mothers, especially in rural areas (Serbia);**

129.153 **Strengthen health policies and programmes with a view to reducing preventable maternal mortality and morbidity (Botswana);**

129.154 **Make efforts to reduce regional disparities in access to education and to provide inclusive education for children with disabilities (Republic of Korea);**

129.155 **Continue adopting programmes and policies that guarantee education for all, particularly in remote areas (Libya);**

129.156 **Continue the efforts to combat school dropout, in particular in the countryside (Tunisia);**

129.157 **Take concrete measures in order to reduce the number of school dropouts by establishing a quality educational and pedagogical system which will also include all children and adolescents (Serbia);**

129.158 **Take appropriate measures to combat school dropout (United Arab Emirates);**

129.159 **Increase the right to education by in-service training of teachers and the expansion of high quality education to include the entire country (Kenya);**

129.160 **Further strengthen cooperation with other countries and relevant international organizations by sharing good experiences in achieving universal access to education and quality education for all (Democratic People's Republic of Korea);**

129.161 **Continue efforts to guarantee access to education for all (Madagascar);**

129.162 **Implement measures to improve education by way of quality standards and criteria (South Africa);**

129.163 **Review school textbooks to introduce a gender-equality perspective and promote citizenship and openness to the outside world (Cuba);**

129.164 **Continue simplification of procedures for entrepreneurs, including initiatives aiming at strengthening the pioneer role of women (Syrian Arab Republic);**

129.165 **Strengthen women's access to employment and guarantee the promotion and development of their careers in full equality with men (Angola);**

129.166 **Continue to protect the rights of women and promote their empowerment (Pakistan);**

129.167 **Accelerate the enactment of laws that promote the role of women (Kuwait);**

129.168 **Strengthen its steps for enhancing the rights of women and gender equality (Republic of Korea);**

129.169 **Give full and equal rights to women in all areas (Israel);**

129.170 **Consider eliminating the differences in the legal condition of men and women regarding marriage, divorce, custody and inheritance (Peru);**

129.171 **Consider amending discriminatory legislation concerning women's rights (Namibia);**

129.172 **Eliminate, through awareness programmes and legal precautions, social discrimination against women and girls (Turkey);**

129.173 **Adopt appropriate legislative measures to prevent any form of discrimination against women (Italy);**

129.174 **Consolidate measures to ensure gender parity and combat violence against women (Zimbabwe);**

129.175 **Ensure a full and effective enactment of the provisions of the new law on domestic violence against women and in this regard conduct awareness-raising campaigns on violence against women (Slovenia);**

129.176 **Take necessary measures to ensure the effective implementation of the law relating to violence against women, notably by guaranteeing access to justice for victims (Switzerland);**

129.177 **Adopt effective measures to combat sexual and gender-based violence, ensuring victims' access to justice and to reception and reparation services (Chile);**

129.178 **Establish an assistance mechanism for women and girls who are victims of violence, particularly victims of sexual or gender-based violence, to facilitate the filing of complaints with the police and to provide them with legal, medical and psychological assistance, as well as adequate protection (Belgium);**

129.179 **Fully combat violence against women, protect and support victims and ensure that perpetrators receive penalties in accordance with the newly enacted law (Sweden);**

129.180 **Continue to further combat violence against women and adopt necessary legislation to prohibit and criminalize all forms of violence against women and domestic violence (Bosnia and Herzegovina);**

129.181 **Continue combating violence against women and ensure the full enforcement of the criminal law (State of Palestine);**

129.182 **Continue combating violence against women by ensuring the application of the law prohibiting domestic violence against women (Madagascar);**

129.183 **Strengthen intersectoral campaigns to counter violence against women (South Africa);**

129.184 **Take further steps to combat violence against women (Timor-Leste);**

129.185 **Continue efforts aimed at combating violence against women (Senegal);**

129.186 **Continue combating violence against women (Turkey);**

129.187 **Continue efforts to combat violence against women (Bahrain);**

129.188 **Continue efforts to promote gender equality and criminalize violence against women (Jordan);**

129.189 **Develop focal points or specialized units on domestic violence, with trained and sensitized personnel, in police institutions throughout the whole country (Mexico);**

129.190 **Take all necessary measures to effectively implement the legislation on domestic violence and protection from such violence (Egypt);**

129.191 **Continue its efforts in addressing the issue of violence against women, building on the adoption of the 2015 law criminalizing domestic violence against women (Cyprus);**

129.192 **Provide the special fund established under the law of 4 January 2015 with sufficient resources to enable it to meet the financial requirements related to the care of victims (Burkina Faso);**

129.193 **Continue to further its efforts to promote and protect the rights of women and children (Mauritius);**

129.194 **Continue strengthening its efforts to promote the rights of women and children (Oman);**

129.195 **Further promote awareness-raising campaigns and educational programmes in order to put an end to social rejection and stigmatization faced by unmarried pregnant women and girls (Timor-Leste);**

129.196 **Accelerate the procedures of adoption of the code on the protection of children (Georgia);**

129.197 **Repeal article 326 of the penal code, which allows perpetrators of the rape of minors to escape justice by marrying their victims, and amend the family code in order to grant women the same status and legal capacity as men (Canada);**

129.198 **Revise article 336 of the penal code in order to define the crime of rape as a non-consensual sexual relationship (Paraguay);**

129.199 **Abolish the article in the penal code which allows rapists of underage girls to escape trial by marrying their victims (Israel);**

129.200 **Consider revisiting the penal code, which allows those who are guilty of rape to escape punishment if they marry the victim (Namibia);**

129.201 **Enact legislation to explicitly prohibit corporal punishment of children in all settings (Montenegro);**

129.202 **Continue its endeavour in combating child abuse (Islamic Republic of Iran);**

129.203 **Continue efforts to ensure the protection of children from all forms of violence and abuse (Jordan);**

129.204 **Further strengthen the efforts to promote the rights of the child, in particular to prevent crimes against children (Sri Lanka);**

129.205 **Expand the scope of protection of children against crimes committed online (United Arab Emirates);**

129.206 **Take necessary measures to ensure the registration and enrolment of children born out of wedlock (Turkey);**

129.207 **Guarantee the civil registration of children born out of marriage, as well as of refugee and stateless children (Paraguay);**

129.208 **Take measures for the systematic registration of children born outside of marriage and of refugee children or migrants (Togo);**

129.209 **Continue the process of the juvenile justice reform by taking further measures in line with the nature of children and their needs (United Arab Emirates);**

129.210 **Reform the juvenile justice system and ensure the separation of children from adults in detention places, including by taking measures to reduce prison overcrowding (Botswana);**

129.211 **Intensify efforts to reform the judicial system, including the juvenile justice system (Georgia);**

129.212 **Continue to invest in policies and programmes aimed at enhancement of youth development and education (Philippines);**

129.213 **Protect the youth from societal dangers (Kuwait);**

129.214 **Implement the Convention on Rights of Persons with Disabilities to stamp out social stigma, fears and misconceptions affecting persons with disabilities, especially the most vulnerable ones, especially the children and the women (Kenya);**

129.215 **Continue paying attention to persons with special needs (Oman);**

129.216 **Continue its efforts to strengthen the rights of persons with disabilities and guarantee equal opportunities in the attainment of education by children with disabilities (Sudan);**

129.217 **Continue strengthening the child protection and persons with disabilities services in order to provide legal protection against all forms of discrimination (Indonesia);**

129.218 **Continue providing support in the area of education, and improve quality and ensure equal opportunities in attaining this right, particularly for those children with special needs (State of Palestine);**

129.219 **Continue strengthening its educational system, guaranteeing the right to education to children and adolescents with disabilities (Chile);**

129.220 **Further empower the socioeconomic development of the regions inhabited by the Amazigh peoples (Sierra Leone);**

129.221 **Adopt a legislative framework on minorities and indigenous peoples consistent with human rights (Guatemala);**

129.222 **Adopt national legislation implementing the Convention relating to the Status of Refugees and its 1967 Protocol, in order to institute a functioning system for the processing of refugees in accordance with international law and to grant protection to refugees determined and recognized as such by the Office of the United Nations High Commissioner for Refugees (Sweden);**

129.223 **Adopt a comprehensive legal framework for refugees and asylum-seekers in conformity with relevant international standards (Belgium);**

129.224 **Enact a law on asylum seekers and refugees to ensure that migrants enjoy a safe legal status (Germany);**

129.225 **Adopt comprehensive national legislation that allows for compliance with and implementation of its international obligations concerning migrants, asylum seekers, refugees and stateless persons (Mexico);**

129.226 **Grant and recognize refugee status for all persons coming under the mandate of the United Nations High Commissioner for Refugees, in particular by giving them the national documents necessary to that effect (Portugal);**

129.227 **Seek support from international partners to assist the Government in continuing its efforts to provide access to education for migrants and asylum seekers (South Sudan);**

129.228 **Take full responsibility of the Sahrawi refugee camps that are located in Algerian territory, and protect the human rights of all persons present there (Israel);**

129.229 **Continue to engage under international law in support of the right to self-determination and protection of refugees (Mozambique).**

130. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[Original: English/French]

Composition of the delegation

The delegation of Algeria was headed by His Excellency Mr. Ramtane Lamamra, Minister of Foreign Affairs and International Cooperation and composed of the following members:

- H.E. Mr. Ramtane Lamamra, Ministre d'Etat, Ministre des Affaires étrangères et de la Coopération internationale, Chef de délégation;
- H.E. Mr. Boudjemâa Delmi, Ambassadeur, Représentant permanent, Mission permanente d'Algérie à Genève;
- H.E. Mr. Rachid Bladhene, Directeur général des Affaires politiques et de sécurité internationale, Ministère des Affaires Etrangères;
- H.E. Mr. Lazhar Soualem, Directeur des Droits de l'Homme, Ministère des Affaires Etrangères;
- Mr. Toufik Djouama, Ministres Conseiller, Représentant permanent adjoint, Mission permanente d'Algérie à Genève;
- Mr. Mohamed Abbas Maherzi, Directeur Central, Ministère des Finances;
- Mr. Salim Djalal, Directeur, Ministère de la Solidarité, de la Famille et de la Condition féminine;
- Mr. Mustapha Medjahdi, Directeur, Ministère de l'Education;
- Ms. Salima Guellab, Directrice d'étude, Ministère de l'Habitat, de l'urbanisme et de la Ville;
- Mr. Mokhtar Naoun, Sous-directeur, Ministère des Affaires Etrangères;
- Mr. Ahmed Merchichi, Sous-directeur, Ministère du Travail, de l'emploi et de la Sécurité sociale;
- Mr. Sid Ahmed Mourad, Sous-directeur, Ministère de la Justice;
- Ms. Khadidja Adda, Sous-directrice, Ministère des Affaires Religieuses et des Wakfs;
- Mr. Abbes Boubakeur, Chargé d'Etudes et de Synthèse, Conseil National Economique et Social;
- Mr. Fethi Merdas, Commissaire principal, Direction générale de la Sûreté nationale;
- Mr. Walid Riad Boukabou, Commandement de la Gendarmerie nationale;
- Mr. Antar Hassani, Secrétaire des Affaires Etrangères, Mission Permanente d'Algérie à Genève;
- Ms. Ahlem Sara Charikhi, Chargée du Bureau du Conseil des droits de l'homme, Ministère des Affaires Etrangères;
- Ms. Faiza Melhani, Administrateur, Présidence de la République;
- Mr. Abdellah Zitouni, Ministère de l'intérieur et des Collectivités locales;
- Mr. Mme Farida Yacef, Haut-commissariat à l'Amazighité;
- Mr. Ahmed Zerrouk, Chargé d'Etudes et de Synthèse, Conseil National des Droits de l'Homme.

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Report of the Working Group on the Universal Periodic Review*

Poland

* The annex is being issued without formal editing, in the language of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Poland was held at the 13th meeting, on 9 May 2017. The delegation of Poland was headed by the Under-Secretary of State and Ministry of Foreign Affairs, Renata Szczech. At its 17th meeting, held on 11 May 2017, the Working Group adopted the report on Poland.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Poland: Hungary, India and Venezuela (Bolivarian Republic of).

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Poland:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/POL/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/POL/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/POL/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Sweden, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Poland through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Poland, a candidate for the 2020-2022 term of the Human Rights Council, considered human rights to be an issue of utmost importance. Since 2001, Poland had cooperated fully with all special procedures and continued to extend to them a standing invitation to visit Poland at their convenience.

6. The national report of Poland had been drafted by the Ministry of Foreign Affairs on the basis of contributions from various governmental agencies responsible for fulfilling human rights-related obligations domestically. In drafting the report, Poland had strived to make the entire process as transparent as possible, duly notifying members of parliament of its course and organizing an information meeting with representatives of non-governmental organizations (NGOs) to listen to any comments and concerns. Contributions had also been received from the Ombudsman (Human Rights Commissioner) and the Ombudsman for Children.

7. Since the previous review, in 2012, Poland had signed and ratified a number of international conventions.

8. Poland was particularly concerned with protecting children's rights. In 2015, major amendments had been made to the Polish Family and Guardianship Code, elevating the protection of children. Those changes had served to eliminate automatic decisions that limit the custody rights of a parent during divorce or separation, and replace them with the child's guaranteed right to both parents. As such, decisions to restrict parental custody rights were taken only in extreme circumstances.

9. The "Family 500+" programme had been introduced in 2016 to improve children's living conditions, in particular those who were most deprived, and to provide for the disbursement of parental monthly benefits of approximately 500 zlotys (approximately $125) for the second and each consecutive child in the family, household income notwithstanding, and for the first child for families with a household income below a certain threshold. The programme, which delivered funds to 3.8 million children in 2.56 million families, had lowered the relative poverty threat index by 4 per cent and the overall poverty threat in the community of children under 17 by 50 per cent.

10. Poland considered protecting vulnerable groups, persons with disabilities, to be of particular importance, hence why the Council of Ministers had adopted a resolution in December 2016 concerning the so-called "For Life" programme of comprehensive support for families. The programme assisted families that included persons with disabilities, especially parents raising children with disabilities. It included solutions for assisting pregnant women and their families, early assistance for children and their families and support, rehabilitation and residential aid. Work was in progress to draft a strategy for disabled persons for the period 2017-2030, to provide comprehensive support to such persons at every stage of life.

11. Poland had successfully implemented a number of recommendations submitted during the 2012 review cycle.

12. The Under-Secretary of State thanked all the States that had submitted advance questions and responded to some of them.

13. In response to the questions raised by Mexico and the United Kingdom on securing women's rights, she stated that, between 2013 and 2016, Poland had implemented the National Programme of Activities for Equal Treatment. This was a comprehensive governmental strategy comprising action to support persons who had been discriminated against or threatened with discrimination. Many initiatives within the Programme aimed to improve the well-being of women and tackle the problems they faced. A decision had already been made to continue the Programme in the years to come. The new edition was expected to be finalized in the fourth quarter of 2017.

14. Concerning the question by Sweden on criminalizing hate speech related to gender identity, sexual orientation or disability, it was reported that courts in Poland took into account the perpetrator's motivation when determining the type and level of penalty. Pursuant to article 53 (2) of the Criminal Code, this included gender identity, sexual orientation and disabilities.

15. Article 53 applied to all acts criminalized under the Code, such as causing bodily harm or defamation. The provision in question was of a general nature and did not limit the type of motivation that had to be taken into account by the courts. Article 212 included provisions that criminalized the slander of a person or a group of persons in relation to conduct or traits that might discredit him/her/them in the face of public opinion, or result in a loss of confidence necessary to engage in certain activities. Those provisions also applied to slander on the grounds of gender identity, sexual orientation and disabilities.

16. Regarding the so-called secret prisons of the United States Central Intelligence Agency, numerous requests for international legal assistance had been filed and plenipotentiaries of victims had been provided with access to case files, although the status of part of the ongoing investigation was classified. The plenipotentiaries participated in selected proceedings and exercised the rights of the victims. In addition, the Polish authorities were actively seeking to obtain appropriate diplomatic assurances from the United States authorities for the applicants.

17. In response to the question by Switzerland concerning media freedom, the National Media Council Law of 22 June 2016 had appointed the National Media Council as an authority responsible for supervising public media activities. The Law altered the form of managing public media, excluding any government influence over the media or their activities. Under the Law, the management boards and supervisory councils of all public radio and television companies and of the Polish Press Agency were to be appointed by the National Media Council. The Council comprised five members: three appointed by the

Sejm (lower house of parliament) and two by the President from among candidates proposed by the opposition. Since initiating its activities, the Council had held open and transparent competitions to select presidents of polish television and radio.

18. The United States raised a question on the criminalization of the use of the phrase "Polish death camps" and the passing of a law for the restitution of private property to individuals. On the criminalization of the phrase, the text of the proposed law included that the illicit act should not be considered a crime if committed within the expression of artistic or scientific activity. Freedom of research and artistic activity was thus explicitly protected under the proposed law. Moreover, criminalization would apply only to claims that were strictly "contrary to historical facts".

19. Similar provisions already existed under the same law, providing for the criminalization of the denial of Nazi German crimes. In that case, freedom of expression was already constricted to a certain extent, for the sake of combating Holocaust denial. That would be extended to encompass ascribing responsibility for the Nazi German crimes to the Polish nation or State. However, the amendments were still proposals and not yet law, and as such might be subject to change.

20. Despite no existing specific law on the subject, the restitution of private property had been under way in Poland for over two decades. The existing legal system in Poland made it clear that any legal or natural person or their heir was entitled to recover pre-war property that had been seized unlawfully by either the Nazi German or the Soviet occupation authorities or by the post-war communist regime. Claimants might proceed through court and administrative procedures. The Polish legal system contained ample provisions that enabled owners or their heirs to claim such property. The relevant legal acts included the Civil Code, the Code of Administrative Procedure and the Law on the Management of Property.

21. According to court or administrative procedures, damages could be paid out of the reprivatization fund administered by the Ministry of Development. From the date it was set up in 2001 until October 2016, the Fund had paid out damages totalling 2.3 billion zlotys to 4,792 natural and 77 legal persons. That sum included damages paid to persons claiming enterprises to which property had not been returned in kind.

22. The delegation of Poland looked forward to a fruitful dialogue with all and would listen to their comments and recommendations and try to respond to all of them.

II. Interactive dialogue and responses by the State under review

23. During the interactive dialogue, 72 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

24. Serbia encouraged Poland to continue to advance the human rights infrastructure and devote particular attention to strengthening independent and oversight institutions. It noted that fighting all forms of slavery remained a challenge.

25. Sierra Leone commended Poland for updating its national legislation on the rights of migrants and human trafficking and encouraged it to address the rights of Roma peoples and asylum seekers.

26. Latvia noted the concerns regarding the lack of adequate protection mechanisms for victims of domestic violence. It asked about measures envisaged to ensure independent broadcasting of the public television and radio services.

27. South Africa welcomed legislation towards a total ban on corporal punishment and the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on communications procedure.

28. Spain commended the ratification of the Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). It encouraged Poland to continue to ratify international human rights treaties.

29. Sri Lanka encouraged Poland to establish a multi-stakeholder institution against discrimination. It requested Poland to share experiences and challenges in increasing conviction rates on human trafficking cases.

30. The State of Palestine welcomed the steps taken with regard to business and human rights, including the work on a draft national plan to implement the Guiding Principles on Business and Human Rights.

31. Sweden recognized the decrease in poverty levels due to a new child benefit programme to reduce poverty among children and their families, together with increased minimum salaries, and a programme to promote affordable housing.

32. Switzerland noted with satisfaction of the ratification of several instruments and the introduction of measures aiming at financially supporting families with children, hence contributing to reducing poverty.

33. Timor-Leste commended the actions of Poland towards including civil society in the review process, in particular the appointment of the Government Plenipotentiary for Civic Society and amendments to the Criminal Code to define and penalize human trafficking.

34. Turkey welcomed the efforts undertaken through humanitarian aid programmes for refugees and inquired about measures to remedy the situation of children belonging to religious minorities not being offered classes in their own religion.

35. Ukraine commended the priorities outlined in the national report of Poland, in particular those related to combating racial discrimination and xenophobia at various levels of the Government and society.

36. The United Kingdom acknowledged the efforts by Poland in the areas of women's rights, modern slavery, violence against children, access to justice, police misconduct and rights of persons with disabilities.

37. The United States remained deeply concerned about judicial independence. It urged Poland to respect fully the principles of judicial independence, checks and balances and the separation of powers between branches of government.

38. Uruguay encouraged Poland to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, including recognition of its Committee. It welcomed measures to combat violence against women and the reporting record of Poland to treaty bodies.

39. Albania commended the continuing commitment aiming to put in place an effective cooperation mechanism within the public administration with respect to the principle of equal treatment.

40. Algeria congratulated Poland for the progress made, including in the context of the National Action Programme for Equal Treatment and in enhancing the rights of persons with disabilities.

41. Andorra welcomed the signature of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the measures taken by the Ombudsman for the Rights of the Child to promote and protect children's rights.

42. Angola noted the ratification of human rights instruments and congratulated Poland on its efforts to respect the rights of women through the implementation of the National Action Programme for Equal Treatment.

43. Argentina congratulated Poland for the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and took note of the part of the national report devoted to the fight against racism.

44. Armenia commended the steps taken to combat hate crime and incitement to hatred, in particular defining liability for incitement or public glorification of extermination of a national, ethnic, racial and religious group.

45. Australia was concerned that women in Poland faced difficulties in gaining access to safe and legal abortion. It was also concerned about rising hate speech and hate crimes, including incidents against immigrants.

46. Austria commended the ratification by Poland of the Istanbul Convention but remained concerned about the lack of effective legislation against discrimination and hate crimes.

47. Bangladesh appreciated initiatives to combat discrimination against women and the sexual exploitation of children and to enhance women's participation in political and public life, and commended institutional changes in relation to the equality of treatment.

48. Belarus appreciated the improvement of the methodology to identify the victims of human trafficking but shared the concern of UNHCR regarding a sharp increase in xenophobic and discriminatory attitudes towards asylum seekers.

49. Belgium acknowledged the positive measures taken to implement previous recommendations, while noting a room for progress. It mentioned concerns raised within the International Holocaust Remembrance Alliance regarding a draft law concerning the memory of the Holocaust.

50. Bosnia and Herzegovina noted the activities regarding children's rights, including the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

51. Botswana appreciated the ratification by Poland of several international conventions but was concerned about the continued prevalence of racial discrimination targeting persons of African, Arab or Asian descent, including refugees and asylum seekers.

52. Brazil was concerned about the counter-terrorism law that might affect the right to privacy. It welcomed the efforts towards poverty reduction among children and inquired about re-establishment of an institution to prevent racial discrimination and xenophobia.

53. The delegation of Poland emphasized that Polish law observed the separation of powers and the independence of the judiciary. The National Judicial Council was not part of the judiciary and did not deal with individual cases. Furthermore, it was not a disciplinary body and did not decide on any accountability or sanctions against judges. It was a body that proposed to the President the candidates for judges. The draft law on the National Council of Judiciary did not change the power of the Council.

54. Regarding children, the Ombudsman for Children's Rights was a constitutional body; a unique act of parliament had been passed on the treatment of children; criminal penalties were not applied to them; family courts could only adopt measures to influence their behaviour; and in 2012 Poland had amended the Family and Guardianship Code to prohibit corporal punishment within the family.

55. Freedom of expression was guaranteed in the Constitution, and the European Court of Human Rights had not identified violations of freedom of expression as systemic problems in Poland. The Government relied on a 2006 judgment of the Constitutional Tribunal that had invoked, inter alia, article 17 of the International Covenant on Civil and Political Rights and had stated that the criminal accountability for defamation was an indispensable measure for the protection of the honour and good name of other people.

56. The Government had taken extensive steps to reduce the length of court proceedings, including by introducing a "managerial manner" that included training judges, reforming court procedures and passing an act on complaints against undue delays of court proceedings.

57. Concerning the legal protection granted to vulnerable groups, such as lesbian, gay, bisexual, transgender and intersex persons and persons with disabilities, anti-discrimination provisions should be considered as a system. Relevant provisions in the Civil Code guaranteed broad protection of personal goods. Provisions to protect such groups were contained in the Criminal Code and other regulations, as well as in the Act implementing certain European Union legislation on equal treatment.

58. Concerning the development of civil society, the establishment of the office of the Government Plenipotentiary for Civic Society was in progress. There were a number of civic dialogue channels at the national, regional and local levels.

59. The Ministry of the Interior and Administration collected data on hate crimes cases against lesbian, gay, bisexual and transgender persons. In 2015, a new system had been introduced to record all hate crime investigations led by the police, including the investigations of crimes motivated by sexual orientation or gender identity. As for anti-Muslim and anti-Semitic hate speech, the Government condemned all such incidents. All cases of hate speech constituting a crime were subjected to criminal liability according to the Criminal Code and subjected to the criminal proceedings.

60. According to the Constitution and family law, including the regulation on recording marital relationships, civil partnerships, including same-sex relationships, could not be registered.

61. Every foreigner who wanted to enter Poland without fulfilling the necessary conditions was subject to an individual assessment in terms of his or her reasons for entering and non-refoulement. Every asylum seeker could therefore apply for international protection.

62. Regarding protection of the right to privacy in the context of secret surveillance and antiterrorist legislation, the Police Act — adopted in compliance with the judgment of the Constitutional Tribunal — had improved procedural standards for conducting secret surveillance and had introduced a new control mechanism for data retention, whereby supervision was conducted by independent courts. As for the Anti-Terrorism Act, the right to privacy was guaranteed under the supervision of the Prosecutor General and, to a certain extent, by independent courts.

63. Concerning accessibility to abortions, the Act on Family Planning, Protection of the Human Foetus and Conditions of Admissibility of Abortion set specifically conditions under which abortion was possible and the time frame. Individuals covered by social security were eligible for free abortion treatment in medical establishments listed as providing guaranteed services. The Act on the Rights of Patients and the Commissioner for Patients' Rights protected the rights of women who had been refused an abortion under the circumstances laid down in the Act to raise objections to the decision of a doctor. Contraceptives were available, some of which were reimbursed by the State. A clause in the Act on the Professions of Doctor and Dentist allowed a doctor to refrain from providing certain health-care services for reasons of conscience. However, that did not affect the patient's right to obtain such health-care services.

64. In total, 777 institutions and 612 call centres provided assistance to the victims of domestic violence. Domestic violence policies had been implemented through a programme covering the period 2014-2020.

65. Poland had been working on strategies for persons with disabilities, covering all areas of the Convention on the Rights of Persons with Disabilities, with an emphasis on health, education, accessibility and employment.

66. Concerning the situation of women in the labour market, there was equality of treatment in line with European Union standards. The gender pay gap in Poland was among the lowest in the European Union and was being further reduced.

67. Poland had chosen to merge the functions of the Prosecutor General and the Minister of Justice in conformity with the acceptable international standards. Furthermore, despite the merge, the 2016 Law on Prosecution had provided explicitly for the independence of the prosecution services.

68. There were no obstacles preventing the Constitutional Tribunal from carrying out its duties. The acts that had been adopted and initiated by Parliament at the end of 2016 were in line with European standards for the functioning of a constitutional court. Those laws regulated matters relating to the system and functioning of the Constitutional Tribunal, taking into account a number of recommendations issued by the European Commission for Democracy through Law (the Venice Commission).

69. Bulgaria appreciated that further work was under consideration to enhance mass media plurality and broaden access to different forms of media, to strengthen freedom of expression and freedom of the media as key principles in the Constitution.

70. Canada urged Poland to take further measures to enhance the scope of protection of lesbian, gay, bisexual, transgender and intersex persons and to prevent acts of discrimination.

71. Chile welcomed measures, including legislative reforms, to combat gender violence, but was concerned about the implementation of the reforms to the Constitutional Court and the increase in xenophobia, racism and discrimination.

72. China noted that some children in rural areas did not have equal access to high-quality education and that Poland still faced challenges in guaranteeing the rights of women and national minorities.

73. Côte d'Ivoire urged Poland to strengthen further its legal framework to ensure the full enjoyment of human rights in the country, notably for minorities, migrants and asylum seekers.

74. Croatia commended the improvement of criminal legislation as regards sexual offences and the protection of child victims. It welcomed the appointment of the equal treatment coordinators and the adoption of the Programme of Roma Integration.

75. Cyprus welcomed the measures taken to enhance the protection of the rights of minority groups and encouraged Poland to continue its efforts to eliminate domestic violence and combat racism, xenophobia and hate crimes.

76. Czechia welcomed the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and the signature of two other international human rights instruments.

77. Denmark attached importance to the successful completion of the dialogue between Poland and the European Commission within the rule of law procedures and the concerns raised by the Venice Commission and the Council of Europe on the rule of law.

78. Egypt commended Poland for the legislative amendments it had made to fight violence against women, the reduction in the wage gap between men and women and the efforts to protect and support women.

79. Estonia encouraged Poland to continue its work to eliminate the use of corporal punishment in various places, consider further actions to prevent and eliminate violence against women and ensure favourable legislation towards women's rights.

80. Finland encouraged Poland to take steps towards making positive progress regarding combating discrimination and ensuring full participation of civil society and to strengthen the rights of all individuals, including minorities.

81. France welcomed the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and of the Istanbul Convention.

82. Georgia appreciated the ratification of various international treaties and measures to improve prison conditions. It welcomed the submission of a midterm implementation report and encouraged Poland to continue that practice.

83. Germany welcomed the accession by Poland to several international human rights instruments, but remained concerned about controversial legislation regarding the judicial system and the media.

84. Greece welcomed, inter alia, the appointment of equal treatment coordinators in each ministry and in the Prime Minister's Chancellery, and the establishment of a national prevention system against torture.

85. Guatemala was concerned about reports of the lack of consistency in the actions of the border police and lack of mechanisms to identify vulnerable persons.

86. Haiti welcomed the success of the policies and programmes of Poland regarding improving women's rights, reducing poverty levels, the ratification of the Convention on the Rights of Persons with Disabilities and combating human trafficking.

87. The Holy See noted the initiatives to reduce the wage gap between men and women, enhance the protection of women and provide assistance to children for their equitable access to quality health care and education.

88. Honduras welcomed legislative measures to protect human rights and efforts to allocate the necessary funds to OHCHR. It noted, however, that Poland should continue to harmonize the legal framework with the international treaties.

89. Hungary welcomed the new laws relating to citizenship adopted to reduce statelessness and took positive note of the measures taken to promote the protection of the Roma community.

90. Iceland regretted that lesbian, gay, bisexual, transgender and intersex persons were still not sufficiently protected under national law and was concerned about the difficulties women faced in gaining access to safe abortions and the related law before Parliament.

91. Indonesia welcomed the implementation of the National Action Programme for Equal Treatment and the adoption of the new National Action Plan to Combat Human Trafficking and the new Foreigners Act.

92. The delegation of Poland indicated that the National Action Plan against Human Trafficking 2016-2018 had provided a series of activities to improve the identification of victims of human trafficking. Poland also had a system of social assistance, support and care for victims of human trafficking. The 2007 amendment to the Act on Social Assistance had expanded the group of beneficiaries to third-country nationals who legalized their stay in Poland by the fact of having been granted the status of victim of trafficking in human beings.

93. Children of migrants in an irregular situation and children of asylum seekers had access to education, both in open and closed centres. While it emphasized alternatives to detention, Poland did its best to improve the conditions in detention centres using European funds. For example, bars from all the windows of such centres were being taken away so that they would not have the appearance of a prison. For the integration of asylum seekers, Polish language lessons and lessons on the Polish culture were provided.

94. Support for families in difficulties was provided through the system of measures to help them re-establish their ability to take care of their child. It was governed by the 2011 Act on Support for Family and Alternative Care. There was a range of services provided in cash to support family income. Through the "Family 500+" programme, the rate of extreme poverty of children had fallen from 12 to 0.7 per cent and relative poverty had fallen from 28 to 10 per cent. A programme had been introduced to support families with persons with disabilities, in particular children with disabilities.

95. Under Polish law, every incident of rape was punishable. Criminal responsibility was triggered irrespective of any relationship between the perpetrator and the victim. The relevant provisions of the Criminal Code applied with no exception to marital rapes. The gender of the victim or the perpetrator had no bearing on the criminal responsibility and in prosecuting those who were guilty of the crimes.

96. The Ministry of Justice was analysing the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and incorporating the definition of torture into domestic criminal law. Furthermore, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was part of the Polish legal system. Therefore, although there was no definition of torture in Polish law, all acts that fell under the Convention were criminalized.

97. The National Programme of Action for Equal Treatment 2013-2016 was being evaluated, and there were plans to develop a new one. The Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance had been dissolved in 2016, but the obligation to prevent and fight against racism, discrimination and xenophobia rested with other public bodies.

98. Concerning education on human sexuality, according to the Act on Family Planning, Protection of the Human Foetus and Conditions of Admissibility of Abortion, the principles of responsible parenthood, value of family, life in the prenatal phase and the methods and means of conscious procreation were addressed primarily in the school subject "education for family life". Those issues were also included in other school subjects, such as nature, biology and physical education.

99. The Islamic Republic of Iran expressed concerns about discrimination and difficulties faced by Roma in different sectors, such as employment and education, and hate speech on the Internet against the Muslim community.

100. Iraq commended the appointment of equal treatment coordinators in each ministry and in the Prime Minister's Chancellery, and of the Government Plenipotentiary for Civic Society.

101. Ireland was pleased to note that Polish law prohibited discrimination in political, social and economic life and that the Labour Code prohibited any discrimination in employment, including on grounds of sexual orientation.

102. Israel noted the contribution of the National Action Programme for Equal Treatment and the work of the special Government Plenipotentiary to fight against hate crimes.

103. Italy commended Poland for its actions to, inter alia, prevent torture, improve pretrial detention and conditions in prisons, promote children's rights and equal treatment and prevent domestic violence.

104. Kyrgyzstan welcomed the policy to promote and protect the rights of women and children, but regretted the abolition of the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance.

105. Slovenia expressed its concern regarding the weak response in combating discrimination and violence on grounds of the sexual orientation and gender identity and encouraged Poland to broaden the anti-discrimination legislation.

106. Libya commended the adoption of the National Action Plan against Human Trafficking, continuous efforts to eliminate hate crimes and incitement to hatred and improvement of the situation of persons with disabilities.

107. Mexico welcomed the strengthening of the legal framework related to freedom of expression and the progress related to eliminate discrimination, including the establishment of a monitoring team and training activities.

108. Mongolia noted the constructive cooperation with the special procedures and commended Poland for the comprehensive measures it had taken aimed at preventing torture, improving the conditions in prison and enhancing the efficiency of the judicial system.

109. Montenegro called on Poland to enhance activities to eliminate the use of corporal punishment in schools, youth centres and alternative-care facilities, as reported by the Committee on the Rights of the Child.

110. The Netherlands welcomed the rejection in October 2016 of the draft amendments to the Act on Family Planning and the Penal Code. It emphasized the importance of consultations with the Venice Commission for the independence of the judiciary.

111. Norway recognized the efforts by Poland to fight discrimination and reminded Poland that an independent civil society was an important part of democratic societies.

112. Pakistan acknowledged the steps Poland had taken to ensure equal treatment and to combat discrimination and hate crimes, including the appointment of equal treatment coordinators in each ministry and the project called "migrants against hate crimes: how to enforce your rights".

113. Peru appreciated the collaboration of Poland with the special procedures, the decrease in the cases of preventive detention and the efforts to achieve equality among men and women, which should be reinforced.

114. The Philippines lauded the improvements in women's rights, particularly with the introduction of measures to prosecute ex officio sexual offences, such as rape or coerced sexual acts.

115. The Republic of Korea appreciated the appointment of equal treatment coordinators at each level of Government and the effectiveness of the new Foreigners Act. It also recognized the appointment of the Government Plenipotentiary for Civic Society.

116. The Republic of Moldova welcomed the appointment of the Government Plenipotentiary for Civic Society, the implementation of the National Action Programme for Equal Treatment and the appointment of equal treatment coordinators in public institutions.

117. Romania expressed its appreciation for the legislative and organizational measures to improve the conditions in prisons and noted that special attention had been paid to women's rights and gender equality.

118. The Russian Federation expressed concern about the violations by Poland of its international obligations regarding the protection of cultural rights and countering racism, and the elimination of a human rights task force in the Ministry of Internal Affairs.

119. The Under-Secretary of State thanked all the delegations that had participated in the interactive dialogue and gave assurances that Poland would analyse all the recommendations with a maximum of attention. She also indicated that Poland had signed and ratified a number of international human rights instruments since the second review and that implementing them fully remained a priority for Poland. In conclusion, she stated that the historical experience of the country, which had come a long way from socialism to democracy and free-market economy, served to confirm the fact that the highest human rights standards were and should remain the path of democracy. She gave her assurances that Poland would work to guarantee that its national norms in the field of human rights would conform to the most rigorous international standards.

II. Conclusions and/or recommendations

120. **The following recommendations will be examined by Poland which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:**

120.1 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro) (Spain);**

120.2 **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Italy) (Philippines);**

120.3 **Sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Philippines);**

120.4 **Conduct further steps towards the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia);**

120.5 **Continue efforts to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Andorra);**

120.6 **Ratify, before the next review cycle, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Czechia);**

120.7 **Intensify measures and initiatives to support persons with disabilities and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which was signed in 2013 (Mongolia);**

120.8 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Albania) (Algeria) (Angola) (Bangladesh) (Honduras) (Kyrgyzstan) (Sri Lanka);**

120.9 **Sign and ratify the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (Philippines);**

120.10 **Promptly ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

120.11 **Consider ways forward for the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

120.12 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Albania) (Iraq);**

120.13 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and integrate it into national norms (Sierra Leone);**

120.14 **Finalize the procedure to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Montenegro);**

120.15 **Ratify, before the next review cycle, the International Convention for the Protection of All Persons from Enforced Disappearance (Czechia);**

120.16 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Estonia) (Slovenia);**

120.17 **Sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Italy) (Philippines);**

120.18 **Promptly ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Guatemala);**

120.19 **Consider acceding to the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Andorra);**

120.20 **Consider acceding to the Convention relating to the Status of Stateless Persons (Bulgaria);**

120.21 **Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Australia) (Côte d'Ivoire);**

120.22 **Accede to and fully implement the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness in order to secure the basic rights of stateless persons and introduce a formal procedure to determine statelessness (Hungary);**

120.23 **Promptly ratify the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Guatemala);**

120.24 **Ensure comprehensive implementation of the international human rights instruments ratified during the past several years (Ukraine);**

120.25 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

120.26 **Adopt the measures necessary to give full effect in the domestic legal order to the recommendations made by the Committee on Economic, Social and Cultural Rights (Uruguay);**

120.27 **Allocate the resources necessary to the Office of the Human Rights Commissioner (Timor-Leste);**

120.28 **Provide the Office of the Human Rights Commissioner with sufficient financing to fulfil its obligations (Norway);**

120.29 **Provide the Office of the Human Rights Commissioner with all the support necessary for it to exercise effectively its mandate (Serbia);**

120.30 **Provide the Office of the Human Rights Commissioner with the means necessary to enable it to carry out its mandate in a full, efficient and independent manner (Guatemala);**

120.31 **Enable the Office of the Human Rights Commissioner to receive and deal with complaints of victims of discrimination (Honduras);**

120.32 **Implement the recommendations made by the International Ombudsman Institute on its fact-finding mission to Poland with regard to the Human Rights Commissioner (Austria);**

120.33 **Establish an independent body that is authorized to receive complaints on violence and abuses by the police (Russian Federation);**

120.34 **Reinforce institutional and administrative measures, including the reestablishment of the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance (Mexico);**

120.35 **Consider the reestablishment of the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance (Peru);**

120.36 **Reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, dissolved in April 2016 (Chile);**

120.37 **Reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, or establish an alternative multi-stakeholder institution with the objective of further preventing discrimination and intolerance (Greece);**

120.38 **Reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance or create an alternative multi-stakeholder institution with the objective of preventing discrimination and intolerance, in all its aspects (Sierra Leone);**

120.39 **Consider either reinstating the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, or establishing an alternative multi-stakeholder institution with the objective of preventing discrimination and intolerance (Albania);**

120.40 **As a follow-up to the recommendations made in paragraphs 90.45, 90.46, 90.47, 90.48, 90.49, 90.57 and 90.60 of the report of the Working Group on the second review cycle of Poland (A/HRC/21/14), reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, with a view to addressing racism in sport to demonstrate the authorities' seriousness in combating such prejudices, in full consultation with key stakeholders (Haiti);**

120.41 **Prevent and combat all forms of discrimination (Philippines);**

120.42 **Strengthen its fight against cases of violence, hate speech and discrimination (Bulgaria);**

120.43 **Strengthen efforts to prevent and combat all forms of discrimination, including by amending relevant legislation and launching awareness-raising campaigns (Italy);**

120.44 **Amend its anti-discrimination law in order to ensure that discrimination on any grounds is prohibited in all areas of life (Finland);**

120.45 **Take steps to ensure the acceptance and the general public knowledge of the existing law on anti-discrimination and to increase the practical use of the law (Sweden);**

120.46 **Improve further its non-discrimination legislation by criminalizing hate crimes on the grounds of age, disability, sexual orientation and gender identity, while taking the measures necessary to combat discrimination based on race, sex, nationality, ethnicity, religion or any other grounds (Brazil);**

120.47 **Amend the Penal Code to provide that crimes motivated by discrimination on any grounds, including disability, gender identity and expression and sexual orientation, are included in the Code and therefore can be investigated and prosecuted as hate crimes (Norway);**

120.48 **Harmonize the Act on Equal Treatment with the international human rights instruments ratified by Poland (Honduras);**

120.49 **Amend the Act on Equal Treatment in order to prohibit discrimination, in a comprehensive manner, including on the basis of sexual orientation and gender identity, in all areas and sectors, in particular taking into account access to education, health, social protection and housing (Mexico);**

120.50 **Extend its anti-discrimination laws and hate crime legislation to ensure equal treatment and broad protection for all from discrimination, regardless of sexual orientation and gender identity (United Kingdom of Great Britain and Northern Ireland);**

120.51 **Redouble efforts to combat racial discrimination, xenophobia and related intolerance (Angola);**

120.52 **Adopt further measures to address racism and support community tolerance (Australia);**

120.53 **Highlight in its next report the measures against perpetrators in combating racist crimes (Bangladesh);**

120.54 **Take measures to reduce the number of crimes committed based on xenophobia and racial intolerance (Russian Federation);**

120.55 **Review its Criminal Code to enhance punishment to combat racially motivated crimes (Republic of Korea);**

120.56 **Amend its Criminal Code, specifically to make the racial motivation of a crime an aggravating circumstance and to allow for enhanced punishment to combat the occurrence of such acts (South Africa);**

120.57 **Denounce publicly at the highest levels of Government anti-Semitic and other hate speech and acts, and support tolerance awareness-raising and training efforts (United States of America);**

120.58 **Take an active stance in combating and raising awareness against racism and intolerant political rhetoric and strengthen legal and other measures to address bias-motivated crimes (Turkey);**

120.59 **Ensure the effective enforcement of laws by which any party or organization that encourages or incites racial discrimination is declared illegal (Russian Federation);**

120.60 **Strengthen and continue the national measures to combat racism, xenophobia and hate crimes (Egypt);**

120.61 **Adopt a comprehensive national action plan against racism and adopt clear measures to combat effectively racially motivated violence (Botswana);**

120.62 **Strengthen legal and other measures to address bias-motivated crimes and ensure the prompt and effective prosecution of racist and xenophobic hate crimes (Islamic Republic of Iran);**

120.63 **Give the appropriate training to the Polish police and other public bodies responsible for victim support services to assist the victims of hate crimes (Ireland);**

120.64 **Take additional serious measures to combat xenophobia, hate speech and discrimination based on race, nationality, ethnicity and religion (Kyrgyzstan);**

120.65 **Develop effective law enforcement tools to monitor and prevent online hate crimes (Israel);**

120.66 **Continue to collaborate with sporting associations with a view to promoting tolerance and diversity (Algeria);**

120.67 **Establish awareness campaigns on discrimination against members of the Roma community (Timor-Leste);**

120.68 **Strengthen the legal framework and implement measures to combat racism and xenophobia and sanction hate crimes, in particular those against migrants in irregular situations (Chile);**

120.69 **Continue to strengthen measures to prevent discrimination and hate crimes, especially against migrants, through training and dissemination programmes on obligations and commitments on human rights (Indonesia);**

120.70 **Strengthen measures aiming at combating discrimination, racism and xenophobia in the country, notably against migrants, asylum seekers and the Roma community (Côte d'Ivoire);**

120.71 **Combat violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons (United States of America);**

120.72 **Amend the Criminal Code to provide that crimes motivated by discrimination on the grounds of sexual orientation or gender identity are investigated and prosecuted as hate crimes (Belgium);**

120.73 **Amend the Penal Code to provide that crimes motivated by discrimination on any grounds, gender identity and expression and sexual orientation, are investigated and prosecuted as hate crimes (Iceland);**

120.74 **Amend the Penal Code to ensure that lesbian, gay, bisexual, transgender and intersex persons are fully protected against discrimination, hate speech and hate crimes based on sexual orientation and gender identity (Canada);**

120.75 **Recognize civil unions between same-sex persons (Spain);**

120.76 **Strengthen the protection of individuals against discrimination, including based on sexual orientation or gender identity, inter alia, by allowing the legal status of same-sex couples, and in that regard pass a law on civil union or registered partnership (Czechia);**

120.77 **Strengthen efforts to protect lesbian, gay, bisexual, transgender and intersex persons against violence and discrimination, including by including sexual orientation and gender identity in hate speech provisions, by making provisions in law for same-sex civil partnership or marriage, and by making arrangements for the relevant Polish authorities to provide Polish citizens wishing to marry or otherwise register a same-sex relationship abroad with all necessary documentation (Ireland);**

120.78 **Consider to increase the level of official development assistance (Sierra Leone);**

120.79 **Strengthen the oversight of Polish companies operating abroad with regard to any negative impact their activities might have on the enjoyment of human rights, particularly in conflict areas, including situations of foreign occupation, where there are heightened risks of human rights abuses (State of Palestine);**

120.80 **Review counter-terrorism legislation and ensure that any interference with the right to privacy therein complies with the principles of legality, necessity and proportionality (Greece);**

120.81 **Consider incorporating in its legal order the definition of torture according to international standards (Peru);**

120.82 **Adopt measures to improve detention conditions in Polish prisons (Russian Federation);**

120.83 **Make further efforts towards improving the conditions in prisons and complying with relevant international standards (Romania);**

120.84 **Take into thorough consideration the recommendations of the Venice Commission in the process of elaborating national legislation (Ukraine);**

120.85 **Implement the recommendations issued by the Venice Commission and the European Commission with regard to the rule of law (Sweden);**

120.86 **Take measures to protect the independence and impartiality of the judiciary (Guatemala);**

120.87 **Ensure reform efforts respect and strengthen judicial independence and improve delivery of justice (United States of America);**

120.88 **Implement the recommendations of the Human Rights Committee regarding the full independence and impartiality of the judiciary (Belgium);**

120.89 **Take the measures necessary in the context of the judicial reform and the reform of the national judicial council to guarantee the separation of powers and the independence of the judicial system (Switzerland);**

120.90 **Uphold the independence of the judiciary, including by maintaining the procedures of nominations and promotions of judges by decisions of the judiciary in accordance with the Polish Constitution and international standards (Austria);**

120.91 **Respect the integrity and independence of the Constitutional Court (Chile);**

120.92 **Adopt the measures necessary to protect and preserve the independence of the Constitutional Court and implementation of its judgments (Spain);**

120.93 **Take immediate measures to restore the independence, integrity and effective functioning of the Constitutional Tribunal and its judges, including by amending pertinent legislation (Canada);**

120.94 **Ensure the independent functioning and decision-making of the Constitutional Court free from any political interference as a fundamental pillar of democracy, rule of law and human rights protection (Czechia);**

120.95 **Ensure the independence of the judiciary in order to safeguard the rule of law by taking immediate steps to ensure that the Constitutional Tribunal is able to deliver effective constitutional reviews (Denmark);**

120.96 **Guarantee, including within the draft constitutional reform announced on 3 May 2017, fundamental freedoms and the independence, integrity and efficiency of the justice system, in particular concerning the execution of the constitutional review (France);**

120.97 **Take into account the opinion formulated on 14 October 2016 by the Venice Commission of the Council of Europe on the Act on the Constitutional Tribunal (Switzerland);**

120.98 **Protect the independence of the judiciary; respect the opinions of the Venice Commission, the Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights and the European Commission, especially regarding justice reform; and ensure that the independence of the Constitutional Tribunal and of judicial institutions is maintained (Germany);**

120.99 **Review and reform the Prosecution Office with a view to separating clearly the function of the Minister of Justice and Prosecutor General, in full consultation with key stakeholders (Haiti);**

120.100 **Restructure the Office of the Attorney General in order to separate the functions of the Ministry of Justice and the Attorney General with a view to further guaranteeing the independence of the Attorney General (Spain);**

120.101 **Ensure that any reform of the justice system takes place only after careful consultation with the representatives of the legal professions, and that it is in line with international standards of judicial independence described by, for example, the International Covenant on Civil and Political Rights, the Basic Principles on the Independence of the Judiciary and the advisory bodies to the Council of Europe, particularly the Venice Commission and the Consultative Council of European Judges (Netherlands);**

120.102 **Review its educational system so that grades obtained in Islamic religion are recorded on school certificates (Republic of Korea);**

120.103 **Reconsider, with regard to concerns raised by the International Holocaust Remembrance Alliance, legislation that restricts open and honest scientific research and that can serve to intimidate researchers (Austria);**

120.104 **Take decisive steps to decrease political control over State-owned media and to ensure independence of private and State-owned media (Sweden);**

120.105 **Guarantee freedom and independence of the media and ensure that rules regarding media ownership comply with European Union law (no discrimination and no retroactive legislation) (Germany);**

120.106 **Ensure that the implementation of its legislation in the field of media respects the independence and pluralism of the media, by, inter alia, applying the decision of the Constitutional Tribunal of 13 December 2016, which aims at restoring the competences of the National Broadcasting Council (Switzerland);**

120.107 **Promote the right of access to information by protecting the freedom of press and the use of mass communication (Holy See);**

120.108 **Guarantee the full right to freedom of expression, through amendments to laws adopted from 2015 that limit the independence of the media, undermine trust on its impartiality and, in anti-terrorism cases, could violate privacy (Mexico);**

120.109 **Guarantee freedom of expression and assembly, including by civil society organizations, notably in the context of public gatherings (France);**

120.110 **Repeal the restrictive amendments on the Law on Assemblies to restore full freedom of peaceful assembly, in keeping with Poland's international obligations (Canada);**

120.111 **Ensure a legal and financial framework that allows non-governmental organizations to operate (Norway);**

120.112 **Ensure a transparent and enabling environment for non-governmental organisations that allows them to benefit from available support and contribute to the development of a vibrant civil society (Austria);**

120.113 **Take concrete steps to enhance the broad and full participation of civil society in all political and societal life, by ensuring transparent distribution of NGO funding and by safeguarding that the freedoms of expression and association can, in line with the International Covenant on Civil and Political Rights, be exercised in practice, including by taking further steps to ensure prompt investigations of physical attacks and/or threats against civil society actors (Finland);**

120.114 **Take further steps to combat human trafficking (Armenia);**

120.115 **Ensure the effective implementation of the National Action Plan against Human Trafficking for the period 2016-2018 (Cyprus);**

120.116 **Continue the national efforts in the framework of the new National Action Plan against Human Trafficking to prevent and combat human trafficking and ensure the rehabilitation of victims (Egypt);**

120.117 **Consider introducing procedures for the identification of persons vulnerable to trafficking, strengthen the prosecution of perpetrators of human trafficking and further support the rehabilitation of victims (Serbia);**

120.118 **Reinforce the work already under way to tackle modern forms of slavery, by strengthening efforts to obstruct criminal networks and identifying victims of human trafficking (United Kingdom of Great Britain and Northern Ireland);**

120.119 **Continue to develop national mechanisms to combat trafficking in human beings, including by conducting a thorough investigation into reports of cases of human trafficking and by establishing a legal framework for the protection of child victims of human trafficking (Belarus);**

120.120 **Pay attention to prevention and protection measures that address the particular vulnerability of children to trafficking (Islamic Republic of Iran);**

120.121 **Strengthen actions to combat human trafficking, with an emphasis on prevention and protection measures that address the particular vulnerability of children to trafficking (Georgia);**

120.122 **Ensure that regulations pertaining to the right to privacy are in line with the principles of legality, necessity and proportionality. Establish an independent and effective oversight mechanism (Germany);**

120.123 **Review its procedures, practices and legislation to ensure that any interference with the right to privacy is consistent with international human rights standards, especially with the principles of legality, necessity and proportionality (Brazil);**

120.124 **Continue to protect the natural family and marriage, formed by a husband and a wife, as the fundamental unity of society, as well as the unborn (Holy See);**

120.125 **Ensure the implementation of all the provisions of the International Covenant on Economic, Social and Cultural Rights, within the national legal system (Iraq);**

120.126 **Ensure that all provisions of the International Covenant on Economic, Social and Cultural Rights are given full effect in its domestic legal order, and in that regard ensure the justiciability of those rights (South Africa);**

120.127 **Strengthen policies to counter the phenomenon of homelessness, especially among children, and put an end to it (Libya);**

120.128 **Ensure the full implementation of women's rights, in particular in relation to effective access to sexual and reproductive health and rights (France);**

120.129 **Ensure the protection of the right of women to have access to abortions and for women (and couples) to decide freely and responsibly the number, spacing and timing of their children (Australia);**

120.130 **Ensure that women are given the medical and professional services necessary to exercise their legal right to terminate a pregnancy, and ascertain that women have the right to decide over their own bodies (Sweden);**

120.131 **Ensure that women can have access to lawful abortions by creating clear, legally binding regulations for the implementation of the 1993 Family Planning Act (Norway);**

120.132 Ensure that safe and legal abortions are accessible in practice by creating clear, legally binding regulations for the implementation of the 1993 Act on Family Planning (Iceland);

120.133 Ensure that safe legal abortions are available and accessible in practice, in keeping with the 1993 Act on Family Planning and consistent with Poland's obligations under articles 12 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (Canada);

120.134 Implement fully and effectively the judgments of the European Court of Human Rights on access to abortion (Iceland);

120.135 Implement fully and effectively the judgments of the European Court of Human Rights in the case of *RR v. Poland* and *P&S v. Poland* on the issue of women and girls' access to sexual and reproductive health care and services (Netherlands);

120.136 Expand the scope of the compulsory course on family life education to provide a comprehensive and age-appropriate education on sexual and reproductive health and rights and to ensure unimpeded access to sexual and reproductive health services, including to safe and legal abortions (Slovenia);

120.137 Take further steps for the elimination of discrimination against women (Republic of Moldova);

120.138 Continue its efforts to put in place improved solutions and legislation aimed at eliminating all forms of discrimination against women (Cyprus);

120.139 Undertake further governmental initiatives and projects aimed at comprehensively combating discrimination against women (Romania);

120.140 Continue its efforts to promote gender equality by focusing on the implementation of the National Action Programme for Equal Treatment (Pakistan);

120.141 Take further effective measures to combat violence against women (China);

120.142 Continue its efforts to prevent and eliminate all forms of violence against women (Timor-Leste);

120.143 Intensify its actions to combat violence against women and counter discrimination against women (Sri Lanka);

120.144 Adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (Republic of Moldova);

120.145 Continue its efforts to eliminate violence against women, including domestic violence (Philippines);

120.146 Harmonize its national legislation with the provisions of the Istanbul Convention (Bosnia and Herzegovina);

120.147 Harmonize its national legislation with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Turkey);

120.148 Continue its efforts to combat violence, including violence against women, and adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (State of Palestine);

120.149 Strengthen the elimination of all forms of violence against women by criminalizing domestic violence and marital rape (Belgium);

120.150 Amend the Criminal Code to criminalize domestic violence clearly and implement a comprehensive strategy to eliminate all forms of violence against women (Sierra Leone);

120.151 **Work to address the issue of domestic violence in Poland and ensure support for victims (Australia);**

120.152 **Organize a national campaign to raise awareness on the specific needs of women victims of domestic violence and gender-based violence (Croatia);**

120.153 **Provide adequate and stable funding for legal, psychological and medical assistance and shelter for victims of domestic violence (Denmark);**

120.154 **Continue its good efforts to address violence against women and domestic violence, including by increasing support for victims of domestic violence (Latvia);**

120.155 **Provide adequate and stable funding for care centres and shelters for women and children victims of domestic violence (Chile);**

120.156 **Proceed with the implementation of the programme entitled "Prevention of Domestic Violence and Violence on the Grounds of Gender" (Israel);**

120.157 **Strengthen the protection of migrant women from gender-based violence (Islamic Republic of Iran);**

120.158 **Adopt measures to protect women's rights, including by strengthening of laws against sexual violence and ensuring the equal participation of women in political and public affairs (Botswana);**

120.159 **Continue to promote the participation of women in public and political life of the country (Bosnia and Herzegovina);**

120.160 **Take appropriate measures to strengthen the implementation of the 2011 Act on Support for Family and Alternative Care Systems (Pakistan);**

120.161 **Continue to reinforce actions aimed at the protection of children against violence and other forms of maltreatment (Bosnia and Herzegovina);**

120.162 **Ensure that all cases of sexual abuse of children are investigated and perpetrators prosecuted, and that victims are adequately compensated and rehabilitated (South Africa);**

120.163 **Take steps to ensure the acceptance and general public knowledge of the existing measures for the legal protection of children, in particular with regard to children with disabilities (Sweden);**

120.164 **Continue to improve the situation of persons with disabilities, including by accelerating the preparation of relevant strategies for 2017-2030, and start implementing them (Libya);**

120.165 **Accelerate the implementation of the Strategy for People with Disabilities for the period 2017-2030 to strengthen the task force on the support system for people with disabilities, their families and caretakers (Indonesia);**

120.166 **Continue its policies and measures for the promotion and protection of the rights of the national minorities (Armenia);**

120.167 **Guarantee the rights of education, health, housing and employment of Roma and other ethnic minorities (China);**

120.168 **Strengthen the policies and programmes aimed at giving the Roma population equal opportunities in the access to services (Peru);**

120.169 **Continue its efforts to better assist children of Roma origin to have access to quality education and therefore advance the integration of Roma (Hungary);**

120.170 **Strengthen efforts to provide preschool education for Roma children as a prerequisite for their equal access to further education without discrimination (Croatia);**

120.171 **Adopt concrete measures to strengthen the protection of migrants, refugees and asylum seekers (Guatemala);**

120.172 **Adopt the measures necessary to combat de facto and de jure discrimination against migrants in irregular situations (Uruguay);**

120.173 **Take urgent measures to investigate and sanction acts of discrimination against migrants, refugees and minorities, in particular by ensuring the protection necessary to those who report acts of discrimination (Argentina);**

120.174 **Guarantee the appropriate treatment of migrants in irregular situations and waiting for deportation from the country, including access to legal remedies (Russian Federation);**

120.175 **Continue to make efforts to protect migrant workers from all forms of exploitation and abuse, in particular those from the Democratic People's Republic of Korea, by improving their working condition in accordance with relevant international standards (Republic of Korea);**

120.176 **Guarantee basic services to the children of migrants in irregular situations, in particular in the areas of education and health (Uruguay);**

120.177 **Increase attention to the integration process for refugees (Islamic Republic of Iran);**

120.178 **Consider participating in further burden sharing programmes, such as the European Union refugee relocation scheme and the refugee quota system (Turkey);**

120.179 **Consider issues related to the access of asylum seekers, taking into account obligations under the international treaties (Belarus);**

120.180 **Take measures towards respecting fully the principle of non-refoulement when it comes to a foreigner's refugee status (Greece);**

120.181 **Prepare a draft amendment to the Foreigners Act prohibiting the detention of families with minors and unaccompanied minors for the purposes of return and asylum proceedings (Kyrgyzstan);**

120.182 **Take urgent measures in order that asylum-seeking children are not deprived of their liberty (Argentina);**

120.183 **Take measures to guarantee full access to education and health care for the most vulnerable persons, including refugees and asylum seekers (Holy See);**

120.184 **Continue its efforts to ensure due commemoration of the Holocaust (Israel);**

120.185 **Investigate thoroughly all acts of vandalism against graves and monuments of Soviet soldiers who perished in the fight against Nazi Germany and bring the perpetrators to justice (Russian Federation).**

121. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Poland was headed by H.E. Ms. Renata Szczech, Undersecretary of State, Ministry of Foreign Affairs, and composed of the following members:

- H.E. Mr. Piotr Stachanczyk, Ambassador, Permanent Representative of the Republic of Poland to the United Nations Office and other International Organizations at Geneva, Deputy Head of the Delegation;
- Mr. Wojciech Kaczmarczyk, Director of the Civil Society Department, Chancellery of the Prime Minister;
- Mr. Krzysztof Maslo, Director of the Department of International Cooperation and Human Rights, Ministry of Justice;
- Ms. Anna Widarska, Director of Mother and Child Department, Ministry of Health;
- Mr. Michal Zon, Director of the Legal Department, Central Board of Prison Service;
- Mr. Mariusz Cichomski, Deputy Director of the Public Order Department, Ministry of the Interior and Administration;
- Mr. Maciej Janczak, Deputy Director of the United Nations and Human Rights Department, Ministry of Foreign Affairs;
- Mr. Adam Krych, Deputy Director of the Analysis and Migration Policy Department, Ministry of the Interior and Administration;
- Mr. Piotr Rychlik, Deputy Director, Legal and Treaty Department, Ministry of Foreign Affairs;
- Mr. Jerzy Baurski, Deputy Permanent Representative of the Republic of Poland to the United Nations Office and other International Organizations at Geneva;
- Ms. Magdalena Lubelska, Head of Section, Bureau of the Head of the Office for Foreigners;
- Ms. Daria Wolosiuk, Head of Human Rights Section, Department of the United Nations and Human Rights, Ministry of Foreign Affairs;
- Ms. Agnieszka Karpinska, First Counsellor, Permanent Mission of the Republic of Poland to the UN Office at Geneva;
- Mr. Pawel Jaros, Judge, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
- Mr. Pawel Kaczor, Judge, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
- Mr. Przemyslaw Domagala, Judge, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
- Ms. Beata Sobieraj-Skonieczna, Prosecutor, Prosecution General;
- Mr. Zbigniew Wierzbowski, Prosecutor, Prosecution General;
- Mr. Jacek Lazarowicz, Prosecutor, Prosecution General;
- Ms. Anna Blaszczyk, Minister's Counsellor, Mother and Child Department, Ministry of Health;
- Ms. Wirginia Prejs-Iskrzak, Minister's Counsellor, Analysis and Migration Policy Department, Ministry of the Interior and Administration;
- Ms. Wieslawa Kostrzewa-Zorbas, Counsellor of the Chief of Chancellery of the Prime Minister;

- Ms. Iwona Przybylowicz, Border Guard Captain, Counsellor in the Board for Foreigners, National Border Guard Headquarters;
- Mr. Krzysztof Laszkiewicz, Plenipotentiary of the National Police Headquarters for protection of human rights, National Police Headquarters;
- Mr. Wojciech Deptula, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
- Ms. Joanna Maciejewska, Chief Specialist, Department of International Cooperation, Ministry of Family, Labour and Social Policy;
- Ms. Małgorzata Skorka, Chief Specialist, Department of Strategy and International Cooperation, Ministry of National Education;
- Ms. Maria Krainska, Senior Specialist, Department of the United Nations and Human Rights, Ministry of Foreign Affairs;
- Mr. Krzysztof Piotrowicz, Attaché, Department of the United Nations and Human Rights, Ministry of Foreign Affairs;
- Ms. Katarzyna Dziczkowska, Intern, Permanent Mission of the Republic of Poland to the UN Office at Geneva;
- Ms. Katarzyna Gorska-Lazarz, Interpreter;
- Mr. Mateusz Cygnarowski, Interpreter.

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Report of the Working Group on the Universal Periodic Review*

Netherlands

* The annex is being issued without formal editing, in the language of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of the Netherlands was held at the 15th meeting, on 10 May 2017. The delegation of the Netherlands was headed by the Minister of the Interior and Kingdom Relations, Ronald Plasterk. At its 18th meeting, held on 12 May 2017, the Working Group adopted the report on the Netherlands.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Netherlands: Egypt, Georgia and United States of America.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of the Netherlands:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/NLD/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/NLD/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/NLD/3).

4. A list of questions prepared in advance by Belgium, Germany, Mexico, Norway, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to the Netherlands through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The representatives of all four countries of the Kingdom of the Netherlands, namely the Netherlands, Aruba, Sint Maarten and Curaçao, participated in the interactive dialogue on behalf of their governments, as each country is responsible for implementing its obligations stemming from the human rights conventions to which the Netherlands is a party.

6. The head of the delegation reported on the human rights situation in the Netherlands. He said that the Constitution, laws and policies provided strong protection for human rights. The Council of State, the Netherlands Institute for Human Rights, the National Ombudsman and the Children's Ombudsman had played an important and effective role in protecting human rights by providing legal advice and monitoring compliance with human rights obligations by national and local authorities. The Netherlands Institute for Human Rights had been awarded A status in 2014. Additionally, institutions such as the Data Protection Authority and the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children had monitored the protection of specific human rights.

7. The Government had submitted a bill to the parliament proposing to modernize article 13 of the Constitution on protecting the confidentiality of communications. The bill extended the scope of communications from letters, telegraphs and telephone calls to all forms of communication, including electronic communications.

8. Several policy measures had been taken during the reporting period. The National Action Plan on Human Rights had been adopted in 2013 in line with the recommendations put forward by Argentina, Brazil, the Philippines and Uzbekistan during the 2012 review of the Netherlands. In the framework of the National Action Programme against

Discrimination, a nationwide anti-discrimination campaign had been launched and it was foreseen that the local anti-discrimination bureaus would be strengthened.

9. An action plan against discrimination in the labour market that included measures against discrimination on all grounds had been launched. Moreover, the police had launched a three-year programme entitled "The power of difference" to prevent ethnic profiling and focus, inter alia, on education and training and on an improved complaints procedure.

10. Gender equality remained a priority for the Government. Several projects had been launched to increase awareness about the importance of the economic independence of women. Although approximately one in three top positions in the central government were held by women, the Government would continue its efforts to further improve gender equality in line with the recommendations contained in the concluding observations of the Committee on the Elimination of Discrimination against Women.

11. In response to the advance questions regarding the rights of refugees, the delegation stated that the Netherlands had dealt with an influx of asylum seekers in 2015. The Government's highest priority was ensuring that all those concerned could be accommodated in a humane fashion. The Netherlands had made great efforts to achieve that objective and not a single asylum seeker had been left without shelter during the reporting period.

12. The delegation reiterated the strong commitment of the Netherlands to the universal periodic review process: it noted the voluntarily submission of a midterm report and its constructive contribution to the sessions of the Working Group on the Universal Periodic Review. The Netherlands would take the recommendations put forward during its third review very seriously, as the success of the review exercise depended on the implementation of the recommendations.

13. The representative of Aruba highlighted that the diversity of the population of Aruba was a result of migration flows from various countries. The government had been working hard to achieve its vision of sustainability and shared prosperity and had been implementing strategies to improve the lives of its citizens, promote cultural diversity and reinforce peaceful coexistence.

14. With the support of the United Nations Development Programme, the Centre of Excellence for the Sustainable Development of Small Island Developing States had been established in Aruba in 2015, building on local experience with sustainable development practices. The Centre aimed at strengthening innovation and resilience in small island developing States and at offering a platform to exchange knowledge and experiences between developing countries related to such issues as renewable energy, water management, tourism and public health.

15. The representative of Aruba spoke of several measures that had been taken to reform legislation in line with international human rights standards. The 2012 Penal Code had strengthened protection against discrimination in Aruba. The 2016 amendments to the Civil Code had provided legal recognition of civil unions between same-sex persons. Legal amendments had prohibited corporal punishment within the family. Sentences for offences related to human trafficking had been increased. A new project had started in 2017 to provide residence permits to undocumented youths. The government of Aruba recognized that the protection of human rights required continuous progress.

16. The representative of Sint Maarten stated that the government remained committed to the protection and promotion of human rights and had made several efforts to implement its human rights obligations. Since the 2012 review, the government had taken measures to ensure that all children between 4 and 18 years of age had access to education regardless of their legal status. Additional schools had been established and the teacher-student ratio had improved.

17. In 2015, Sint Maarten had adopted a new Penal Code to address new challenges and meet its international obligations. The Code included stronger provisions for effectively prosecuting perpetrators of human trafficking-related crimes, in line with the recommendations of the Committee on the Elimination of Discrimination against Women

and the Human Rights Committee. Sint Maarten had obtained a tier 1 score in the *2017 Trafficking in Persons Report* of the United States Department of State. As improving conditions in penitentiary facilities remained a priority, the Ministry of Justice had drafted a policy paper to implement an action plan for that purpose.

18. The representative of Curaçao informed the Human Rights Council that the government had held broad consultations with various governmental and non-governmental organizations to prepare for the review. A follow-up meeting on the outcome of the review was scheduled to be held in June.

19. In addition, sessions had been organized to raise awareness of and assess government compliance with international human rights treaties. Domestic violence, discrimination based on gender, race, gender identity and sexual orientation and the establishment of a national human rights institution were some of the issues that had been discussed during those sessions and the decision to establish a human rights institution for Curaçao had been one of the outcomes.

20. The government of Curaçao gave high importance to issues of youth. An action programme for youth development had been adopted. The Youth Council of Curaçao, which had been established in 2017, had started to work with the Kingdom Youth Parliament to ensure that the voices and interests of young people were taken into consideration. The government had taken measures to provide free primary and secondary education for children living in poverty, prevent children from dropping out of school and assist youths in gaining access to employment. The government had been working on establishing an ombudsman for children.

B. Interactive dialogue and responses by the State under review

21. During the interactive dialogue, 89 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

22. Timor-Leste noted the adoption of the National Action Plan on Human Rights and the efforts of the Netherlands to combat human trafficking, including by having specialized prosecutors and investigators, which had resulted in an increase in prosecutions.

23. Tunisia welcomed the ratification of the Convention on the Rights of Persons with Disabilities and the national programme on combating discrimination.

24. Turkey observed a deterioration in the human rights situation, the use of hate speech during the election campaign and violations of the rights to liberty and freedom of movement on 11 March 2017 in Rotterdam.

25. Uganda noted that migrants faced discrimination in employment, housing and health care and expressed concern about the reported increase in hostility towards refugees and asylum seekers.

26. Ukraine stated that the national human rights monitoring system was well developed. It commended the ratification of the Convention on the Rights of Persons with Disabilities.

27. The United Kingdom noted that unemployment among persons with disabilities had decreased. It encouraged the Netherlands to take measures to ensure that women did not face barriers when returning to work after maternity leave.

28. The United States expressed concern about increased societal intolerance and discrimination against members of certain minority groups, discriminatory rhetoric from political leaders and anti-Semitic incidents.

29. Uruguay welcomed the efforts of the Netherlands to ensure gender equality and protect the rights of women, particularly the progress made in ensuring that a high percentage of women were represented in high-level decision-making positions.

30. The Bolivarian Republic of Venezuela expressed concern about an increase in incidents of racism, racial discrimination and xenophobia on the Internet and of hatred against migrants and asylum seekers.

31. Zambia expressed concern about the increase in discrimination against members of Jewish and Muslim communities, the racism faced by people of African descent and the disappearance of unaccompanied children from reception facilities.

32. Albania commended the Netherlands for constitutional reforms focusing on poverty reduction, economic development, promotion of the rights of children and good governance.

33. Algeria welcomed the programmes on poverty reduction, economic development and the rights of children. It noted the ratification of the Convention on the Rights of Persons with Disabilities and the adoption of an anti-discrimination action plan.

34. Andorra welcomed the ratification of the Convention on the Rights of Persons with Disabilities and the measures taken by the Netherlands to promote the rights of children.

35. Angola welcomed the ratification of the Convention on the Rights of Persons with Disabilities and the adoption of a national action plan that included issues such as non-discrimination, equal treatment and migration.

36. Argentina congratulated the Netherlands for implementing its 2013 national human rights action plan.

37. Armenia welcomed measures to promote equality, non-discrimination and the rights of women and to combat human trafficking. It highlighted the active engagement of the Netherlands in preventing crimes against humanity.

38. Australia noted that the national human rights institution was in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), the national human rights action plan and the efforts of the Netherlands to increase women's participation in the labour market and advance the rights of intersex persons.

39. Azerbaijan expressed concern about hate speech emanating from politicians, racial discourse in the media, a reported increase in harassment and violence against religious minorities and the excessive use of force by police against peaceful demonstrators.

40. Bahrain welcomed the efforts of the Netherlands to promote the rights of children. It expressed concern that incidents of discrimination against members of religious minorities were not punished.

41. Bangladesh expressed concern about child labour, racist bullying in schools, the systematic detention of children in police custody, discrimination and hate speech targeting Muslim women, migrants and asylum seekers, and the lack of health services for undocumented migrants.

42. Belarus noted the ratification of the Convention on the Rights of Persons with Disabilities and the adoption of the national action plans on human rights and on combating discrimination. It expressed concern about cases of discrimination and hate speech.

43. Belgium welcomed the ratification of the Convention on the Rights of Persons with Disabilities. It noted that many steps had been taken by the Netherlands to implement the recommendations of the previous review.

44. Bosnia and Herzegovina commended the Netherlands for its efforts to enhance the rights of women, including through their participation in high-level positions. It noted the efforts to improve economic, social and cultural rights.

45. Botswana noted the adoption of the national action plans on human rights and on combating discrimination, and the efforts of the Netherlands to combat violence against women. It expressed concern about the gender pay gap and the prolonged detention of children in police custody.

46. Brazil commended the Netherlands for its efforts to promote freedom of expression, decrease the gender pay gap and combat discrimination against lesbian, gay, bisexual, transgender and intersex persons. It expressed concern about ethnic profiling and the detention of migrants and asylum seekers.

47. Bulgaria noted the adoption of the national action plans on human rights and the rights of children and of the Youth Care Act.

48. Burkina Faso noted with satisfaction the degree to which human rights had been realized, the adoption in 2013 of the national human rights action plan and the establishment in 2012 of the national human rights institution.

49. Canada welcomed the positive steps taken by the Netherlands to promote the rights of women, particularly their sexual and reproductive health and rights, internationally.

50. Chile noted the adoption of the national human rights action plan and the ratification of the Convention on the Rights of Persons with Disabilities. It expressed concern about the detention of asylum seekers and migrants.

51. China commended the Netherlands for adopting a national human rights action plan. It expressed concern about discrimination against Muslims, members of ethnic minorities and persons of African descent and about xenophobia.

52. Côte d'Ivoire welcomed the efforts of the Government to improve the human rights situation by establishing the Netherlands Institute for Human Rights and by adopting national plans on human rights and the rights of children.

53. Cuba recognized that the Netherlands had promoted equal treatment and non-discrimination through various policies and legislative measures.

54. Ecuador commended the Netherlands for adopting the national human rights action plan and ratifying the Convention on the Rights of Persons with Disabilities and for its efforts concerning business and human rights.

55. Egypt welcomed the ratification of the Convention on the Rights of Persons with Disabilities. It expressed concern about incidents of racism, xenophobia and discrimination against migrants and asylum seekers.

56. Estonia noted the establishment of a national human rights institution with A status and the efforts of the Government to protect the rights of persons with disabilities, notably through the ratification of the Convention on the Rights of Persons with Disabilities.

57. France welcomed the ratification of the Convention on the Rights of Persons with Disabilities and the adoption of the first national human rights action plan.

58. Georgia noted the adoption of action plans on human rights, anti-discrimination and the rights of children. It encouraged the Government to establish mechanisms to monitor and assess the implementation of those plans.

59. Germany welcomed the ratification of the Convention on the Rights of Persons with Disabilities and the establishment of a national human rights institution.

60. Ghana urged the Netherlands to investigate the disappearance of unaccompanied children from asylum reception centres and identify children who might have been the victims of enforced disappearance.

61. Greece welcomed the action plan to protect the rights of children, including from sexual exploitation and human trafficking, and to promote the active involvement of youths in public life.

62. Guatemala expressed concern about the rise in hate speech in the media and the Internet and among politicians.

63. In response to questions regarding domestic violence, the head of delegation stated that the police had set up specialized front offices to address effectively cases of child abuse. The police and the prosecutor's office had been implementing special programmes to effectively address domestic violence, including child abuse.

64. Three municipalities in the Caribbean part of the Netherlands had made progress in terms of access to health care and to quality primary education. In order to address the remaining challenges, the Government had focused its efforts on poverty reduction, economic development, the advancement of the rights of children and good governance.

65. Regarding questions on the use of ethnic profiling by law enforcement officers, the delegation stated that such profiling was prohibited by law. The police had adopted a code of conduct setting out professional standards and guidelines for law enforcement officers. Persons who had been subjected to ethnic profiling could use a mobile telephone application to make notifications and complaints and to record information on police stops.

66. The Government strongly condemned hate crimes and hate speech. It had launched a broad anti-discrimination campaign that included the issue of hate speech and it had established hotline services to address hate speech on the Internet, including by removing online expressions of hate speech. In response to questions regarding freedom of assembly, the delegation stated that the Public Assemblies Act provided adequate regulations for local authorities to ensure the right to freedom of assembly, as was shown in a recent evaluation.

67. The delegation informed the Human Rights Council that the Government did not intend to withdraw its reservations to the Convention on the Rights of the Child owing to the peculiarities of its legal system. Nor would the Government sign the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as the Convention did not differentiate between the rights of migrants in a legal or illegal situation.

68. The delegation stated that the police were trained to recognize both physical and psychological violence against women. It highlighted the joint efforts of the police, the prosecutor's office and non-governmental organizations in providing legal assistance and psychological support to victims of domestic violence. Regarding questions on the detention of migrants, the delegation indicated that alternatives to detention were widely used and available to migrants.

69. The representative of Aruba stated that the government had established a counter-trafficking task force that had drafted a new national action plan against trafficking for 2015-2019, had formalized standard operating procedures to guide front-line responders in the effective identification of trafficking victims and their referral for care, and established a counter-trafficking coordination centre. During the period 2014-2016 several investigations had been launched into possible cases of human trafficking and about 500 government employees had been trained to effectively identify cases of human trafficking.

70. The representative of Sint Maarten reported on measures taken by the government to ensure access to education for children from families in need. The Ministry of Education had adopted a concept of community schools that aimed to provide a safe learning environment for children between 4 and 12 years of age after regular school hours. Moreover, the government subsidized private after-school programmes.

71. The representative of Sint Maarten stated that the government had continued to monitor and implement human rights in its territory and had considered the possibility of establishing a human rights institution. At the same time, existing institutions were working to address violations and mainstream human rights issues.

72. The representative of Curaçao stated that, although Curaçao was not a party to the Convention Relating to the Status of Refugees, the government adhered to the article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) and the principle of non-refoulement. Its constitution and legislation prohibited all forms of discrimination.

73. Haiti noted the establishment of the national human rights institution, the implementation of programmes to improve the rights of children, tackle discrimination and combat human trafficking and the ratification of the Convention on the Rights of Persons with Disabilities.

74. Honduras noted the adoption of the national action plans on human rights and on business and human rights.

75. Hungary commended the Netherlands for ratifying the Convention on the Rights of Persons with Disabilities and for starting to implement it.

76. Iceland commended the Netherlands for its engagement in the promotion of human rights at home and abroad. It noted that the Netherlands could take additional steps to address racism and xenophobia and to close the gender pay gap.

77. India appreciated the efforts of the Netherlands to prevent ethnic profiling and encouraged it to continue its efforts to enhance the economic independence of women and reduce the gender pay gap.

78. Indonesia noted the adoption of the action plan to combat discrimination and of the Youth Care Act, and the efforts of the Netherlands to combat child sex tourism.

79. The Islamic Republic of Iran noted an increase in reports of racially motivated crimes and hate crimes, and stated that the number of prosecutions and convictions was low.

80. Iraq noted the ratification by the Netherlands of most of the international human rights treaties, the creation of a national human rights institution and the adoption of policies encouraging women's participation in high-level decision-making positions.

81. Ireland urged the Netherlands to make further efforts to protect lesbian, gay, bisexual, transgender and intersex persons from violence and discrimination, including by increasing protection from and the appropriate prosecution for hate crimes.

82. Israel noted the adoption of a national human rights action plan, the Rainbow 1 state initiative and policies to fight human trafficking, and the establishment of centres for victims of sexual violence.

83. Italy noted the ratification of the Convention on the Rights of Persons with Disabilities and the adoption of measures for its implementation, and the adoption of the national action plan to combat discrimination and the Youth Care Act.

84. Kazakhstan noted the ratification of the Convention on the Rights of Persons with Disabilities and the national action plans on human rights and on combating discrimination. It expressed concern about discrimination against ethnic minorities.

85. Kenya noted the Netherlands' engagement with human rights mechanisms, particularly OHCHR, and the implementation of the recommendations arising from the previous review. It encouraged the Netherlands to maintain that approach.

86. Lithuania noted the increased migration and encouraged the Netherlands to ensure diversity and respect for human rights. It welcomed its efforts to fight discrimination and xenophobia.

87. Liechtenstein welcomed the efforts of the Netherlands to maintain peace and security, protect the rights of women and combat violence and abuse against children.

88. Malaysia noted the efforts of the Netherlands to strengthen national mechanisms to combat discrimination. It expressed concern about some counter-terrorism programmes that reinforced the association of terrorism with religion, race, culture, ethnicity and nationality.

89. The Maldives noted the initiatives taken by the Government to combat the sexual exploitation of children, and the ratification of the Convention on the Rights of Persons with Disabilities.

90. Mexico recognized the progress made in implementing the national human rights action plan.

91. Montenegro recognized the efforts to improve gender equality. It expressed concern about discrimination against women in employment, including in relation to pregnancy and motherhood, and about the gender pay gap.

92. Mozambique noted the ratification of the Convention on the Rights of Persons with Disabilities. It welcomed the adoption in 2016 of an action programme to combat discrimination that included prevention and awareness-raising campaigns.

94. Morocco welcomed the ratification of the Convention on the Rights of Persons with Disabilities but noted the limited employment opportunities available to persons with disabilities. It also noted the measures taken to ensure gender equality, as well as the need to improve women's access to employment.

95. Namibia welcomed the national action plans on human rights and on combating discrimination, and the actions taken in relation to the International Decade for People of African Descent.

96. Norway welcomed the steps taken by the Netherlands since its previous review, including the use made of the Netherlands Institute for Human Rights to promote, protect and monitor the human rights situation in the country.

97. Pakistan noted the adoption of various policies, including the action plans on human rights and on combating discrimination. It encouraged the Government to combat discrimination and intolerance against migrants and minorities.

98. Panama commended the Netherlands for ratifying the Convention on the Rights of Persons with Disabilities and for taking measures to combat child exploitation.

99. Paraguay noted the efforts made by the Netherlands to increase the economic independence of women and to combat discrimination in employment against pregnant women.

100. Peru noted the commitment of the Netherlands to the International Decade for People of African Descent and its efforts to ensure adequate treatment of migrants and refugees.

101. The Philippines welcomed the progress made in various areas but expressed concern about hate speech and discrimination against Muslims, migrants and asylum seekers. It urged the Netherlands to end discrimination against migrants in employment, health care and housing.

102. Poland expressed concern about shortcomings in the child protection system and encouraged the Netherlands to pay adequate attention to compliance by its authorities to the provisions of the Convention on the Rights of the Child.

103. Portugal welcomed the ratification of the Convention on the Rights of Persons with Disabilities. It noted with concern cases of repeated detention of foreign nationals.

104. The Republic of Korea welcomed the efforts of the Netherlands to combat discrimination and xenophobia. It noted the adoption of a national action plan on business and human rights.

105. The Republic of Moldova noted the establishment of the Netherlands Institute for Human Rights, the ratification of the Convention on the Rights of Persons with Disabilities and the steps taken to ensure its implementation.

106. Romania noted the progress made since the previous review and noted with appreciation the holistic approach used to improve the observance of human rights throughout the Kingdom.

107. The Russian Federation was concerned that the Netherlands had not implemented most of the recommendations put forward during the previous review concerning racism, discrimination against minorities and migrants and detention conditions for asylum seekers.

108. Rwanda noted the ratification of Conventions on the Rights of Persons with Disabilities and the measures taken to combat discrimination and address racial profiling. It encouraged the Netherlands to enhance its efforts to combat racial discrimination.

109. Serbia encouraged the Netherlands to continue to provide support to vulnerable individuals and ensure equal treatment, particularly in the labour market, education, housing and social protection. The Government should ensure accountability for expressions of racism and xenophobia.

109. Sierra Leone noted the action plan on the rights of children and efforts to combat child trafficking and child sex tourism and to address discrimination. It encouraged the Netherlands to continue to address discrimination against minorities and migrants.

110. Slovenia welcomed the information provided concerning the protection and promotion of human rights at the municipal level. It asked for information on services available to older persons.

111. South Africa welcomed the adoption of a national action programme to combat discrimination, including in the labour market.

112. Spain was concerned about controls imposed on digital platforms in the context of threats to national security. It noted the ongoing process to ratify the Optional Protocol to the Convention of the Rights of Persons with Disabilities.

113. Sri Lanka noted the national human rights action plan, the national human rights institution with A status and the efforts of the Government to reduce the gender pay gap, increase the economic independence of women and promote their participation in high-level positions.

114. The State of Palestine noted steps taken by the Netherlands to combat discrimination and promote respect of human rights by corporations in accordance with the Guiding Principles on Business and Human Rights of the United Nations.

115. The Sudan noted the ratification of the Convention on the Rights of Persons with Disabilities and the adoption of a national action plan on business and human rights. It encouraged the Netherlands to eliminate discrimination against women and girls.

116. Sweden noted the deportation of asylum seekers, discrimination against lesbian, gay, bisexual, transgender and intersex persons and of foreign women in the labour market, the gender pay gap, discrimination in employment owing to pregnancy and motherhood, and the low number of prosecutions for hate crimes against lesbian, gay, bisexual, transgender and intersex persons.

117. The Syrian Arab Republic noted with concern the existing discriminatory policies and the weakness of the measures taken to tackle them.

118. Morocco welcomed the acquisition of A status by the national human rights institution, the national action programme to combat discrimination and the criminalization of insult or intentional incitement to hatred, discrimination or violence.

119. Uzbekistan noted the commitment of the Netherlands to its human rights obligations. It referred to concerns raised about an increase in discrimination against members of the Jewish and Muslim communities and people of African descent.

120. Libya welcomed the efforts of the Netherlands to fight discrimination and xenophobia, including the national action programme to combat discrimination, and to improve the economic situation of women.

121. The representative of Aruba informed the Human Rights Council that the government had taken steps to draft a national human rights action plan to be completed in 2017. An initial survey had been carried out to establish the priorities. As the establishment of a national human rights institution and the appointment of an ombudsman and a children's ombudsman remained a priority, the government had been studying the experience of the Netherlands Institute for Human Rights and had been consulting with various stakeholders.

122. The representative of Aruba stated that the government had adopted a national youth policy and had been developing an action plan for 2017-2019 to implement that policy. A special commission had been created to develop a gender policy in consultation with stakeholders.

123. The representative of Sint Maarten stated that three ministries had been jointly involved in ensuring the realization of the rights of children by developing necessary policies, implementing programmes and providing support to families for the healthy

development of children. Various institutions had been tasked with addressing cases of child abuse.

124. The government of Sint Maarten remained committed to protecting the rights of detainees. The first youth care and rehabilitation centre had been established in 2014 and accommodated children in conflict with law. Its main objective was to reintegrate those children into society.

125. The representative of Curaçao stated that harmonizing efforts to realize human rights throughout the Kingdom remained a challenge. The sharing of experiences and knowledge was considered to be important for achieving the harmonization of human rights standards in the Kingdom.

126. The delegation stated that the Government had evaluated the implementation of its national human rights action plan and that the Netherlands Institute for Human Rights had commissioned an independent evaluation of the action plan's implementation.

127. The Government had set targets to ensure access by persons with the disabilities to the labour market. It had also implemented measures, including public campaigns against discrimination in the labour market, to decrease the pay gap between women and men. A new action plan has been developed to combat discrimination against pregnant women in employment. The Netherlands had drafted an action plan for the period 2016-2018 to prevent and combat child sex tourism.

128. The delegation informed the Human Rights Council that the Government had taken measures to ensure that sexuality education was taught in secondary school. The law prohibited discrimination against transgender and intersex persons.

129. In 2016, the Netherlands had launched proceedings for the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

130. In conclusion, the delegation, on behalf of the Kingdom, expressed its gratitude to all States Members of the United Nations for their active participation in and contribution to the interactive dialogue led by the Working Group on the Universal Periodic Review. The areas identified would help the Government to further improve human rights protection. The Government would seriously consider all recommendations put forward during the review and express its position on them before the thirty-sixth session of the Human Rights Council.

II. Conclusions and/or recommendations

131. **The following recommendations will be examined by the Netherlands, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:**

131.1 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uganda) (Algeria) (Bangladesh) (Egypt) (Ghana) (Sudan) (Guatemala) (Philippines);**

131.2 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Syrian Arab Republic);**

131.3 **Consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sri Lanka) (Burkina Faso);**

131.4 **Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile);**

131.5 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro) (Bosnia and Herzegovina) (Ukraine) (Belgium) (France) (Philippines);**

131.6 **Swiftly ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

131.7 **Accelerate the process of ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Angola);**

131.8 **Ratify the International Covenant on Economic, Social and Cultural Rights (Syrian Arab Republic);**

131.9 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Ghana) (Panama);**

131.10 **Ratify the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro);**

131.11 **Consider signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Andorra);**

131.12 **Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Bulgaria);**

131.13 **Ratify as soon as possible the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Germany);**

131.14 **In order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Liechtenstein);**

131.15 **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Germany) (Ghana) (Estonia) (Belgium) (France) (Guatemala) (Philippines);**

131.16 **Consider signing and ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Andorra) (Italy);**

131.17 **Ensure effective implementation of the provisions set out in the Convention on the Rights of Persons with Disabilities (Estonia);**

131.18 **Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);**

131.19 **Ratify the Optional Protocol to the Convention on the Rights of the Child (Belgium);**

131.20 **Ratify the Optional Protocol to the Convention on the Rights of the Child (France);**

131.21 **Consider withdrawing its reservations to articles 26, 37 (c) and 40 of the Convention on the Rights of the Child (Albania);**

131.22 **Withdraw its reservations to various articles of the Convention on the Rights of the Child (Sierra Leone);**

131.23 **Withdraw the reservations to articles 26 (c), 37 and 40 of the Convention on the Rights of the Child and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Spain);**

131.24 **Fully respect diplomatic courtesy and abide by the provisions of the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations (Turkey);**

131.25 **Extend the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance to Aruba, Curaçao and Sint Maarten (Greece);**

131.26 **Extend the accession by Curaçao and Sint Maarten to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (Greece);**

131.27 **Provide unhindered access by the Netherlands Institute for Human Rights to places of detention to further strengthen its role in promoting human rights in the country (Sri Lanka);**

131.28 **Implement the national action plan to combat discrimination in all its forms (Cuba);**

131.29 **Extend the National Action Plan on Human Rights to cover all relevant human rights issues, including counter-terrorism, government surveillance, migration and human rights education (Germany);**

131.30 **Extend the National Action Plan on Human Rights published in 2013 to cover all relevant human rights issues, including respect for human rights while countering terrorism, and ensure independent monitoring and evaluation of the Action Plan (Hungary);**

131.31 **Develop a national strategy that specifically addresses racism and racial discrimination (Hungary);**

131.32 **Issue a national action plan for countering discrimination as well as hate crimes, including indicators for success (Sweden);**

131.33 **Establish an effective arrangement for dialogue with representatives of minority groups in order to be properly informed about their problems and needs, and develop policies and programmes to improve their situation (Hungary);**

131.34 **Consider establishing a, or strengthening the existing, national mechanism responsible for coordination, implementation, reporting and follow-up, in line with the good practices identified by OHCHR in its study/guide concerning national mechanisms for reporting and follow-up (Portugal);**

131.35 **Take all remedial measures, including legislative measures, to ensure that the rights enshrined in the International Covenant on Economic, Social and Cultural Rights are applicable and justiciable (South Africa);**

131.36 **Adopt a policy of dialogue with all States based on respect for the principles of the Charter of the United Nations, particularly mutual respect and sovereign equality and respect for the rights of people to choose their political, economic and social system (Syrian Arab Republic);**

131.37 **Raise awareness of the danger of intervention in the internal affairs of States and the risk of condoning support to terrorism, as it is a threat to international peace and security (Syrian Arab Republic);**

131.38 **Continue to take action towards a comprehensive gender equality strategy (Bosnia and Herzegovina);**

131.39 **Continue taking measures aimed at closing the gender gap (Namibia);**

131.40 **Fully implement the equal opportunities policy with the aim of ensuring gender equality (Botswana);**

131.41 **Persist in implementing measures to remove any salary discrepancies between men and women for equal work (Bosnia and Herzegovina);**

131.42 **Continue efforts to ensure greater wage equality between men and women (Libya);**

131.43 **Take further steps to address and implement measures to decrease the wage gap between men and women (Iceland);**

131.44 **Continue to promote gender equality in the workplace and to accelerate work on reducing the wage gap (Sri Lanka);**

131.45 **Ensure that the wages of men and women are equal when doing the same work (Lebanon);**

131.46 **Strengthen the measures for fighting discrimination (Bulgaria);**

131.47 **Intensify efforts to eradicate all forms of discrimination (Belarus);**

131.48 **Take effective measures to put an end to discrimination on grounds of racial or ethnic origin, skin colour, socioeconomic status, gender, religion or other status in the fields of employment and education (Albania);**

131.49 **Combat frequent discrimination on the grounds of race, ethnicity, nationality and religion and strengthen efforts to prevent discriminatory stereotypes and hate speech targeted at Muslims, migrants, refugees and asylum seekers (Islamic Republic of Iran);**

131.50 **Continue to improve mechanisms for monitoring cases of discrimination on the grounds of origin or ethnicity by governmental and private entities (Brazil);**

131.51 **Strengthen mechanisms to combat discrimination of minorities and persons of immigrant background (Serbia);**

131.52 **Adopt effective legislative and administrative measures to vigorously fight racial discrimination and xenophobia and guarantee the rights of ethnic minorities (China);**

131.53 **Adopt policies necessary for the protection of victims of discrimination based on religion, language and ethnic origin (Angola);**

131.54 **Continue strengthening policies and measures to prevent and eliminate manifestations of racism, xenophobia and intolerance in society (Uruguay);**

131.55 **Strengthen strategies to combat manifestations of racism, xenophobia and intolerance, including incitement to hatred, taking into account international human rights standards in this regard (Panama);**

131.56 **Take more effective measures to prevent and supress manifestations of racism, xenophobia and intolerance and encourage a positive climate of dialogue in this regard (Iceland);**

131.57 **Take all necessary measures to combat xenophobia and Islamophobia and to eliminate all forms of discrimination and violence against all migrants, Muslims and people of African origin (Turkey);**

131.58 **Strengthen measures to fight the discrimination of which certain communities are victims, including persons of African descent and migrants (Burkina Faso);**

131.59 **Adopt targeted policies to promote the effective equality of people of African descent (South Africa);**

131.60 **Continue taking measure to promote the effective equality of people of African descent (Namibia);**

131.61 **Deepen measures to enquire on and punish acts of discrimination against people of African descent (Argentina);**

131.62 **Take measures to eradicate crimes against people of African descent, Muslims, Jews and foreigners, which are promoted in the media and social networks, where violence, racism, racial discrimination, xenophobia and other related forms of intolerance are openly incited (Bolivarian Republic of Venezuela);**

131.63 **Thoroughly investigate cases of alleged discrimination against members of the Jewish and Muslim communities, including people of African descent, and bring the perpetrators of such crimes to justice (Zambia);**

131.64 **Further develop measures to fight anti-Semitism and Holocaust denial, including in the field of education (Israel);**

131.65 **Take necessary measures to prevent xenophobia and Islamophobia in the Netherlands and to ensure that religious communities in the Netherlands do not get discriminated against (Indonesia);**

131.66 **Further improve efforts to combat violence against minorities and to combat Islamophobia and xenophobia (Iraq);**

131.67 **Take effective measures to tackle the root causes of racial discrimination and raise awareness about stereotypes (State of Palestine);**

131.68 **Take effective measures to combat the root causes of discrimination on the basis of race and religion and against ethnic minority groups, and to consider establishing a platform for dialogue with the representatives of the ethnic minority groups in order to be properly informed of their problems and needs, and to develop, with their participation, appropriate steps to improve the situation (Kazakhstan);**

131.69 **Take measures to eliminate discrimination and xenophobia and to combat the root causes of racial discrimination (Bahrain);**

131.70 **Conduct research concerning root causes and monitor all trends which may give rise to racist and xenophobic behaviour (Azerbaijan);**

131.71 **Condemn all forms of racism, including in political speech and on the Internet, and prosecute those involved (Syrian Arab Republic);**

131.72 **Condemn and sanction all manifestations of intolerance, including in political discourse and on the Internet, with due regard for freedom of expression, adopt firm measures to promote a spirit of tolerance and intercultural dialogue and prevent the stigmatization of any group (Guatemala);**

131.73 **Continue efforts to fight all forms of discrimination against foreigners and to combat hate speech in the media by intensifying awareness campaigns and spreading a culture of dialogue and acceptance of the other (Tunisia);**

131.74 **Continue implementing the public awareness campaign on hate speech on the Internet (Cuba);**

131.75 **Expand current efforts, as appropriate, to counter online intolerance (United States of America);**

131.76 **Take steps to counter hate speech, including online, through public awareness campaigns (India);**

131.77 **Continue implementing policies for combating discrimination and hate speech (Republic of Moldova);**

131.78 **Continue the development of policies to fight hate speech (Israel);**

131.79 **Continue efforts to combat hate speech (Morocco);**

131.80 **Take measures to address racist discourse in the media and racist statements and threats on the Internet (Serbia);**

131.81 **Investigate and prosecute racist and xenophobic discourse and incitement to hatred in the media and on the Internet by extremist politicians (Sierra Leone);**

131.82 **Tackle advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence in political discourse and in the media (Malaysia);**

131.83 **Take stricter measures to condemn and ensure accountability for all manifestations of intolerance, including in political discourse and on the Internet, and punish those who are involved in it (Egypt);**

131.84 **Redouble efforts to fight all forms of discrimination and racism, including hate speech and xenophobia (Lebanon);**

131.85 **Continue to combat hate crimes against vulnerable groups and prosecute perpetrators (Pakistan);**

131.86 **Consider making racist motivation a specific aggravating circumstance in sentencing (Norway);**

131.87 **Develop public awareness-raising campaigns on stereotyping and discrimination, and provide mandatory training on human rights for police officers (Azerbaijan);**

131.88 **Strengthen measures to combat ethnic profiling and to further separate it from hate speech which targets certain minorities, and protect the exercise of freedom of expression (Indonesia);**

131.89 **Adopt effective measures to eradicate racial and religious profiling and report on those measures in the next national report (Russian Federation);**

131.90 **Continue efforts to combat discrimination and ethnic profiling (Morocco);**

131.91 **Step up its policies to address racial discrimination, racial profiling and hate speech, especially against Muslim women, minority group women and asylum seeking women (Maldives);**

131.92 **Develop and implement specific measures and affirmative policies to eliminate racial profiling and discrimination faced by persons of African descent (Azerbaijan);**

131.93 **Continue taking actions to curb racial profiling by law enforcement agencies (Namibia);**

131.94 **Adopt and implement legislation which prohibits law enforcement officials from engaging in ethnic profiling (Belgium);**

131.95 **Continue to implement the measures outlined in its 2014 action plan against labour market discrimination (Australia);**

131.96 **Increase efforts to prevent labour market discrimination against workers with non-resident backgrounds, women and persons with disabilities by identifying and analysing the root causes of such discrimination and mitigating them through advocacy and training programmes (Canada);**

131.97 **Respond to problems of discrimination on the labour market linked to the refusal to hire persons on the grounds of their origin or race (Honduras);**

131.98 **Continue its efforts to eliminate all forms of discrimination, notably against lesbian, gay, bisexual, transgender and intersex persons and against women in the labour market (France);**

131.99 **Implement measures to protect intersex persons from discrimination (Australia);**

131.100 **Guarantee access to legal gender recognition for both intersex and transgender people of all ages, without legal administrative or financial barriers (Israel);**

131.101 **Strengthen measures aimed at protecting vulnerable persons (Côte d'Ivoire);**

131.102 **Establish clear standards of respect for human rights for officials who exercise immigration control at points of entry into the Netherlands territory, in order to ensure a respectful, equal and non-discriminatory treatment and protection of the human rights of all persons entering the territory (Ecuador);**

131.103 **Take the necessary steps to make the anti-discrimination services available in all municipalities and widely inform the public of their availability (Republic of Moldova);**

131.104 **Revise the Bosman act to ensure that all nationals, regardless of their birth place, are not excluded from living and working in the Netherlands (Sierra Leone);**

131.105 **Act to eliminate differences in human rights between the European and Caribbean Netherlands (Australia);**

131.106 **Share the experiences acquired in the area of business and human rights, especially on remediation and reparation, through its constructive and substantive participation in the intergovernmental working group established by resolution 26/9 of the Human Rights Council (Ecuador);**

131.107 **Address human rights abuses perpetrated by Netherlands companies abroad (Egypt);**

131.108 **Respond to concerns of the Committee on the Elimination of Racial Discrimination about the participation of Netherlands companies in the extractive industry and in the production of soya and palm oil abroad that have adverse effects on the enjoyment of human rights and the environment (Honduras);**

131.109 **Consider the establishment of a clear regulatory framework to guarantee that the activities carried out by the enterprises under its jurisdiction do not have a negative impact on human rights abroad (Peru);**

131.110 **Ensure accountability for human rights violations and environmental damage resulting from the global or overseas operations of companies registered or headquartered in the Netherlands (Philippines);**

131.111 **Ensure that transnational corporations headquartered in the Netherlands do not violate human rights in their operations abroad (South Africa);**

131.112 **Intensify its efforts to maintain oversight over Netherlands companies operating abroad with regard to any negative impact their activities may have on the enjoyment of human rights, particularly in conflict areas, which includes situations of foreign occupation where there is a heightened risk of human rights abuses (State of Palestine);**

131.113 **Review any adopted or proposed counter-terrorism legislation, policies or programmes to provide adequate safeguards against human rights violations and minimize any possible stigmatizing effect such measures might have on certain segments of the population (Canada);**

131.114 **Review counter-terrorism measures that target individuals and groups based on race, ethnicity and religion, including Muslims and Muslim communities, and ensure that such measures do not associate or contribute to associating terrorism with any religion, race, culture, ethnic group or nationality (Malaysia);**

131.115 **Adopt measures to eliminate domestic violence, rape and sexual harassment, ensuring the safety of victims and the timely response to complaints, as well as access to free legal assistance (Bolivarian Republic of Venezuela);**

131.116 **Ensure the training of prosecutors and security forces so they can identify, investigate and prosecute cases of gender-based violence (Israel);**

131.117 **Ensure that its legislation addresses all forms of violence, explicitly prohibits corporal punishment in all settings and includes measures to raise awareness of positive, non-violent and participatory forms of child-rearing**

throughout the Kingdom, in particular in Aruba and in the Caribbean Netherlands (Liechtenstein);

131.118 Ensure the protection and rehabilitation of victims of sexual exploitation (Uruguay);

131.119 Work to ensure equal access to justice across the Kingdom, including by opening offices to provide easily accessible legal advice and referrals in Saba, Bonaire and Sint Eustatius (United Kingdom of Great Britain and Northern Ireland);

131.120 Consider including in its next universal periodic review report information on measures it has taken to analyse potential risk factors that could lead to atrocities, including by utilizing the United Nations *Framework of Analysis for Atrocity Crimes: A Tool for Prevention*, and on any assistance it has given to other States to prevent atrocity crimes (Rwanda);

131.121 Take necessary measures to ensure that the collection and maintenance of data for criminal purposes do not entail massive surveillance of innocent persons (Spain);

131.122 Fully implement international commitments stemming from United Nations human rights conventions such as on the prohibition of torture, inhuman or degrading treatment and on the rights to liberty of movement, freedom of expression, freedom of assembly and association, to which the Netherlands is a party, including with respect to the rights of foreigners, in particular senior government officials present in its territory (Turkey);

131.123 Progressively develop existing capacity to effectively tackle modern slavery in fulfilment of its shared treaty obligations, building resilience across the entire Kingdom of the Netherlands (United Kingdom of Great Britain and Northern Ireland);

131.124 Strengthen efforts to combat human trafficking (Morocco);

131.125 Prevent and promptly, thoroughly and impartially investigate, prosecute and punish human trafficking and provide adequate protection and means of redress to the victims (Islamic Republic of Iran);

131.126 Further improve the legislative framework to control trafficking in migrant women and their exploitation in prostitution and in inhuman and undignified occupations (Iraq);

131.127 Redouble efforts to identify victims of human trafficking among asylum seekers, in particular unaccompanied children (Panama);

131.128 Adopt and implement specific legislation on the collection, use and accumulation of metadata and individual profiles, including in security and anti-terrorist activities, guaranteeing the right to privacy, transparency and accountability and the right to decide on the use, correction and deletion of personal data (Mexico);

131.129 Ensure the protection of private life and prevent cases of unwarranted access by special agencies to the personal information of citizens on the Internet when there is no connection with any illegal actions (Russian Federation);

131.130 Promote gender equality in relation to bridging the wage gap, especially for women belonging to religious and ethnic minorities (Bahrain);

131.131 Study the possibility of a universal basic income programme in all regions with a view to phasing out the existing social protection system, in full consultation with key stakeholders (Haiti);

131.132 Ensure continuous access to health care, notably for vulnerable persons (France);

131.133 **Strengthen policies for access to health-care services, especially for children with low economic and social status and undocumented children (Maldives);**

131.134 **Pursue efforts to address and study academic failures in the secondary schools of children from disadvantaged socioeconomic environments (Algeria);**

131.135 **Continue to implement relevant legislation and policies with a view to efficiently combating bullying in schools, as part of the efforts to tackle radicalization (Romania);**

131.136 **Ensure comprehensive sexuality education is integrated into the national school curriculum, including on topics such as sexual diversity, sexual rights and gender equality (Belgium);**

131.137 **Continue to promote human rights education with a particular focus on interfaith and intercultural dialogue (Pakistan);**

131.138 **Integrate human rights education into the national school curriculum, provide sufficient resources for human rights education and training of teachers and ensure that they receive training in topics such as sexual diversity, sexual rights, resilience, gender equality and consent (Slovenia);**

131.139 **Include human rights education in the curriculum (Sudan);**

131.140 **Take further steps to eliminate discrimination against women (Georgia);**

131.141 **Continue to take measures to advance the empowerment of women without any discrimination (Myanmar);**

131.142 **Prevent and combat all forms of discrimination and eliminate violence against women, including domestic violence (Philippines);**

131.143 **Pass laws and follow up on their implementation with the aim of eliminating wage discrimination against women and, in particular, discrimination based on motherhood and pregnancy (Syrian Arab Republic);**

131.144 **Empower women and effectively address discrimination in employment by installing a paid paternity leave of adequate length that is non-transferable and follows directly after maternity leave (Slovenia);**

131.145 **Enhance gender equality by reducing the gender pay gap and increasing employment opportunities for women through implementation of the 2030 Agenda for Sustainable Development (Maldives);**

131.146 **Increase efforts for the effective elimination of all forms of discrimination against women in employment, especially avoiding horizontal and vertical occupational segregation, and unequal pay (Chile);**

131.147 **Increase efforts aimed at combating intersectional discrimination against women and girls based on their belonging to ethnic minority groups or on gender (Paraguay);**

131.148 **Increase measures aimed at decreasing the high number of women who are victims of domestic violence (Paraguay).**

131.149 **Review current legislation, policies and programmes relating to maternity and parental leave with a view to ensuring an adequate period of infant and early childhood care while mitigating the negative impacts on career advancement (Canada);**

131.150 **Support women's conflict prevention efforts and provide technical assistance on conflict resolution processes to countries emerging from conflict in order to promote women's effective participation (Liechtenstein);**

131.151 **Intensify efforts to address factors contributing to women being disproportionately affected by poverty, especially single mothers and women of old age, including by ensuring adequate social protection and safeguards, providing opportunities for additional income generation and improving child care facilities (Malaysia);**

131.152 **Intensify its efforts to fully implement the Convention on the Rights of the Child (Bangladesh);**

131.153 **Continue taking measures in order to protect the rights of the child, inter alia by ratifying the third Optional Protocol to the Convention on the Rights of the Child (Georgia);**

131.154 **Intensify its efforts in relation to children's rights, including, in particular, in the Caribbean countries forming part of the State, including to prohibit corporal punishment in all settings, to develop and implement public awareness programmes, to reduce the rate of children dropping out of school, to intensify efforts to eradicate child labour, to raise the minimum age of recruitment in the military to 18 years and to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure without reservations (Ireland);**

131.155 **Continue its efforts to provide children at risk with easy access to the necessary psychological care (Timor-Leste);**

131.156 **Provide sufficient resources and establish mechanisms for monitoring and assessing the implementation of its action plans on children's rights (Timor-Leste);**

131.157 **Continue efforts to protect children from sexual exploitation, protect unaccompanied refugee children and protect them from enforced disappearance (Tunisia);**

131.158 **Continue its solid efforts to strengthen the protection of the rights of the child, particularly with regard to child trafficking and child sex tourism (Indonesia);**

131.159 **Investigate the disappearance of unaccompanied children from asylum reception centres and search for and identify those who might have been victims of child disappearance (Zambia);**

131.160 **Provide adequate health care for children with low economic status, as well as children who are undocumented (Bahrain);**

131.161 **Put an end to the "baby box" initiatives, which allow the anonymous abandonment of children without knowing their identity (Lebanon);**

131.162 **Combat all forms of discrimination against refugee children, asylum seekers and undocumented migrants (Paraguay);**

131.163 **Consider amending a piece of legislation in Netherlands law to allow for the separation of juveniles from adults in correctional centres (Zambia);**

131.164 **Consider amending the juvenile justice law to cover all children under the age of 18 years (Bolivarian Republic of);**

131.165 **Amend laws on the minimum age of criminal responsibility, which make it possible to deal with minor children as adult criminals (Egypt);**

131.166 **Increase the minimum age of voluntary recruitment into the army to 17 years (Paraguay);**

131.167 **Implement the Convention on the Rights of Persons with Disabilities by, among other things, ensuring the job support schemes in order to enable all persons with disabilities to access employment in the same way as those without disabilities (Kenya);**

131.168 **Revise existing job schemes to ensure access to a wider spectrum of work for people with disabilities than provided for under current legislation, to comply fully with the Convention on the Rights of Persons with Disabilities (United Kingdom of Great Britain and Northern Ireland);**

131.169 **Continue to develop appropriate policies to provide equal job opportunities for persons with disabilities (Myanmar);**

131.170 **Adopt concrete measures to ensure access to employment for persons with disabilities and to promote the principle of inclusive education throughout the national education system (Spain);**

131.171 **Explore alternative ways to treat persons with mental and psychosocial disabilities and impartially investigate the excessive use of restrictive measures in mental health institutions (Poland);**

131.172 **Take further measures to ensure the full enjoyment of human rights of ethnic minorities, migrants, Muslims and people of African origin (Republic of Korea);**

131.173 **Adopt appropriate policies to extend protection to all ethnic and religious minorities and ensure they enjoy the necessary legal protection in the face of widespread discrimination (Egypt);**

131.174 **Set up an effective format for introducing a dialogue with representatives of minorities, acquiring comprehensive information on their problems and needs, developing and implementing, in consultation with them, policies and programmes to improve their situation, as well as to prevent and eradicate racial discrimination against them (Uzbekistan);**

131.175 **Take further steps to create better work opportunities for the members of minority groups (Timor-Leste);**

131.176 **Provide additional funding for the protection of religious minorities (United States of America);**

131.177 **Reinstitute Turkish mother tongue lessons as part of the primary and secondary school curricula (Turkey);**

131.178 **Elaborate a new general strategy aimed at reducing the less favourable and discriminatory situation of Roma, Sinti and traveller communities (Peru);**

131.179 **Develop training programmes for police officers that are in line with human rights principles on how to deal with minorities and vulnerable groups (Bahrain);**

131.180 **Take the necessary measures to address the situation of continuing discrimination against migrants, particularly in employment, health care and housing, and the reported increase in hostility towards refugees and asylum seekers, as well as the opposition to the opening of new reception centres, in line with its international obligations (Uganda);**

131.181 **Implement the Convention on the Elimination of All Forms of Racial Discrimination to end the marginalization of and poverty among migrants who face high levels of unemployment, as compared to persons who are native to the Netherlands (Kenya);**

131.182 **Provide judicial remedies through the national human rights institution for migrants who have been discriminated against in the labour market because of their origin, religion, nationality or ethnicity, and strengthen structural measures to combat stereotypes during selection and recruitment processes (Mexico);**

131.183 **Guarantee the rights of refugees and migrants and make substantive progress in fighting and preventing xenophobic violence (China);**

131.184 Strengthen and standardize measures with a view to ensuring better protection of migrants, refugees and asylum seekers throughout its entire territory (Côte d'Ivoire);

131.185 Consider the use of alternative measures to detention for migrants and refugees by ensuring that vulnerable persons and children never remain detained (Chile);

131.186 Prioritize the use of alternative measures to detention of migrants and ensure that the detention of vulnerable persons is avoided (Guatemala);

131.187 Reduce immigration detention and promote alternatives to such detention (Kenya);

131.188 Make progress in the use of alternative measures to the detention of migrants (Uruguay);

131.189 Deepen measures so that unaccompanied children and asylum-seeking family groups are not deprived of liberty (Argentina);

131.190 Consider reviewing policies on the detention of migrants that might imply their criminalization based on their migration status and promoting the creation of regular pathways for the admission and regularization of undocumented migrants (Brazil);

131.191 Ensure high transparency and oversight by civil society over detention conditions and in the treatment of migrants and asylum seekers (Russian Federation);

131.192 Stop arresting migrants in isolated cells and in solitary confinement (Syrian Arab Republic);

131.193 Introduce additional measures to reduce the practice of detaining individuals solely for immigration purposes and consider using alternatives when possible (Sweden);

131.194 Take measures to address cases of detention whose length goes beyond the limit established by the European Union return directive (Portugal);

131.195 Process expeditiously requests by refugees for family reunification to ensure that unaccompanied minors are able to reunite with their families (Mexico);

131.196 Provide due access by migrants, asylum seekers and refugees to health care and other protection systems, such as education and employment services (Portugal);

131.197 Expedite efforts to introduce a statelessness determination procedure and provide persons recognized as stateless with legal status and access to basic human rights, in full consultation with key stakeholders (Haiti);

131.198 Ensure that a national human rights institution compliant with the Paris Principles covers all parts of the Netherlands, whether through extension of the mandate of the existing national human rights institution or establishment of similar but separate institutions in the Caribbean territories (Ireland);

131.199 Seek to harmonize the human rights norms in the four countries of the Kingdom according to the international standards (Peru);

131.200 Continue to protect and promote human rights in the Caribbean Netherlands by reducing poverty, providing a minimum of social security and establishing legal offices to provide legal advice and referrals to increase access to justice (Kenya);

131.201 Provide technical assistance to enable the authorities in Aruba, Curaçao and Sint Maarten to educate prison officers and empower prison

[illegible] to compliance with international human rights standards (Republic of Korea);

131.202 Continue the process of eliminating the differences between the Caribbean and the European parts of the Netherlands as soon as possible (Romania);

131.203 Eradicate significant gaps in the realization of human rights in the European and overseas parts of the Kingdom (Russian Federation);

132. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of the Netherlands was headed by the Minister of the Interior and Kingdom Relations, Ronald Plasterk, and composed of the following members:

- H.E. Mr. Juan David Yrausquin, Minister Plenipotentiary of Aruba;
- H.E. Mr. Rafael Boasman, Minister of Justice, Saint Martin;
- Ms. Miloushka Shoui-Racamy, Senior Policy Officer, Directorate of Foreign Relations Curaçao;
- H.E. Mr. Reinout Vos, Chargé d'affaires, Permanent Representation of the Kingdom of the Netherlands, Geneva;
- Mr. Paul van Sasse van Ysselt, Deputy Head Constitutional Affairs Division, Ministry of the Interior and Kingdom Relations;
- Ms. Marjolijn Smith-Molenaar, Legal Adviser, Ministry of the Interior and Kingdom Relations, the Netherlands;
- Ms. Marije Graven, Legal Adviser, Ministry of the Interior and Kingdom Relations;
- Mr. Edmond Messchaert, Spokesperson, Ministry of the Interior and Kingdom Relations, the Netherlands;
- Mr. Roeland Böcker, Senior Legal Adviser, Ministry of Foreign Affairs, the Netherlands;
- Ms. Félicienne Muijtjens, Legal Adviser, Ministry of Security and Justice, the Netherlands;
- Mr. Time Kaptein, Senior Policy Officer, Ministry of Security and Justice, the Netherlands;
- Mr. Charles de Vries, Senior Policy Officer, Ministry of Education, Culture and Science, the Netherlands;
- Ms. Natasja Moritz, Senior Policy Officer, Ministry of Social Affairs and Employment, the Netherlands;
- Ms. Olivia Croes, Senior Legal Adviser, Department of Foreign Affairs, Aruba;
- Mr. Levinus Dijkstra, Chief of Cabinet, Saint Martin;
- Mr. Patrice Gumbs, Policy Officer, International Affairs Department, Saint Martin;
- Ms. Kirsten Hommes, Second Secretary Permanent Representation of the Kingdom of the Netherlands, Geneva.